

HON. LAUREN KING

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TWIN HARBORS WATERKEEPER,)	
)	Case No. 3:22-cv-5233-LK
Plaintiff,)	
v.)	AMENDED [PROPOSED]
)	
BWC TERMINALS LLC,)	CONSENT DECREE
)	
Defendant.)	
)	

I. STIPULATIONS

WHEREAS, Plaintiff Twin Harbors Waterkeeper (“Twin Harbors”) sent a sixty-day notice of intent to sue letter to Defendant BWC Terminals LLC (“BWC”) on or about January 18, 2022, and filed a complaint on April 8, 2022, alleging violations of the Clean Water Act, 33 U.S.C. § 1251 *et seq.*, relating to discharges of stormwater from BWC’s facility in Hoquiam, Washington and seeking declaratory and injunctive relief, civil penalties, and attorneys’ fees and costs. BWC denies these allegations.

WHEREAS, Twin Harbors and BWC agree that settlement of these matters is in the best interests of the parties and the public, and that entry of this Consent Decree is the most appropriate

[PROPOSED] CONSENT DECREE

No. 3:22-cv-5233-LK

1

Smith & Lowney, pllc
2317 East John St.
Seattle, Washington 98112
(206) 860-2883

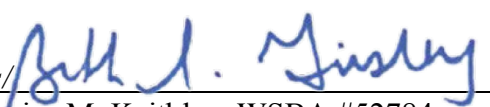
means of resolving this action.

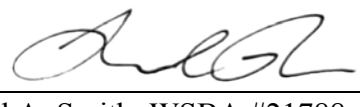
NOW THEREFORE, Twin Harbors and BWC stipulate to the entry of this Consent Decree without trial, adjudication, or admission of any issues of fact or law regarding Twin Harbors' claims or allegations set forth in its complaint and its sixty-day notice.

DATED AND PRESENTED this 16th day of May, 2023.

STOEL RIVES LLP

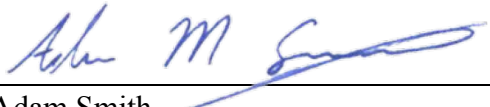
SMITH & LOWNEY, PLLC


By 
Veronica M. Keithley, WSBA #52784
Beth S. Ginsberg, WSBA #18523
Attorneys for Defendant
BWC Terminals LLC

By 
Richard A. Smith, WSBA #21788
Savannah Rose, WSBA #57062
Attorneys for Plaintiff
Twin Harbors Waterkeeper

BWC TERMINALS LLC

TWIN HARBORS WATERKEEPER

By 
Adam Smith
Chief Operating Officer

By 
Sue Joerger
Executive Director of Twin Harbors
Waterkeeper

II. ORDER AND DECREE

THIS MATTER came before the Court upon the Parties' Joint Motion for Entry of Consent Decree and the foregoing Stipulations of the parties. Having considered the Stipulations and the promises set forth below, the Court hereby ORDERS, ADJUDGES, and DECREES as follows:

1. This Court has jurisdiction over the parties and subject matter of this action.
2. Each signatory for the parties certifies for that party that he or she is authorized to enter into the agreement set forth herein.

[PROPOSED] CONSENT DECREE

No. 3:22-cv-5233-LK

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Seattle, Washington 98112
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1 3. This Consent Decree applies to and binds the parties and their successors and
2 assigns.

3 4. This Consent Decree and any injunctive relief ordered within applies to the
4 operation, oversight, or both by BWC of its facility at or about 3128 Port Industrial Rd,
5 Hoquiam, WA 98550 (the “Facility”), which is subject to National Pollutant Discharge
6 Elimination System Permit No. WAR306512 (the “NPDES permit”).

7 5. This Consent Decree is a full and complete settlement and release of all the claims
8 in the complaint and the sixty-day notice and all other claims known or unknown existing as of the
9 date of entry of the Consent Decree that could be asserted under the Clean Water Act, 33 U.S.C. §§
10 1251-1387, arising from operation of the Facility. These claims are released and dismissed with
11 prejudice. Enforcement of this Consent Decree is Twin Harbors’ exclusive remedy for any violation
12 of its terms. Twin Harbors will not support by financial assistance, personnel time, or otherwise,
13 other lawsuits or potential lawsuits by Twin Harbors’ members or other groups or individuals that
14 could be asserted under the Clean Water Act arising from the claims or issues resolved through or
15 connected with this Consent Decree.

16 6. This Consent Decree is a settlement of disputed facts and law. It is not an admission
17 or adjudication regarding any allegations by Twin Harbors in this case or of any fact or conclusion
18 of law related to those allegations, nor evidence of any wrongdoing or misconduct on the part of
19 BWC.

20 7. BWC agrees to the following terms and conditions for the term of the Consent
21 Decree, in full and complete satisfaction of all the claims covered by this Consent Decree:

22 a. BWC will comply fully with all conditions of the NPDES permit and any
23

1 successor, modified, or replacement permit authorizing discharges of stormwater associated
2 with industrial activity from the Facility.

3 b. For the duration of this Consent Decree, BWC will, on a quarterly basis,
4 electronically forward to Twin Harbors copies of all communications to and/or from
5 Ecology related to its NPDES permit or stormwater discharges from the Facility.

6 c. BWC will make amendments to the SWPPP (attached hereto as Exhibit 5)
7 to comply with the following requirements no later than thirty (30) business days after the
8 effective date of this Consent Decree, provide Twin Harbors with a copy of the amended
9 SWPPP within ten (10) business days of amending, and implement and maintain the
10 following BMPs for the life of the Consent Decree:

11 i. As soon as possible, but not later than six months after the entry of
12 this consent decree, BWC must remove the warehouse located on the premises of
13 the Facility and any associated building materials in the immediate vicinity. During
14 the removal process, BWC must isolate the demolition area, collect the associated
15 stormwater, and pump the stormwater to the tank farm containment area, as well as
16 use catch basin inserts surrounded by wattles at CB03 and CB10, identified in the
17 site map attached hereto as Exhibit 2; and

18 ii. BWC must monitor and operate the tank farm containment area in
19 accordance with its Standard Operating Procedure (“SOP”), attached hereto as
20 Exhibit 3.

21
22 d. Prior to discharge, BWC must inspect its stormwater for spills or leaks of
23

MDI, methanol, and monochlorobenzene in accordance with its SOP, attached hereto as Exhibit 4.

8. Within thirty (30) days of the effective date of this Consent Decree, BWC will pay \$80,000 (EIGHTY THOUSAND DOLLARS) to the Quinault Indian Nation for projects to address impairments to, and contribute to the improvement of, the water quality of the Chehalis River and Grays Harbor, as described in Exhibit 1 to this Consent Decree. The check will be made to the order of “Quinault Indian Nation” and delivered to:

Karen Allston
Office of Attorney General
PO Box 613
Taholah, WA 98587

Payment will include the following reference in a cover letter or on the check: “Consent Decree, Twin Harbors Waterkeeper v. BWC Terminals LLC, W.D. Wash. No. 3:22-cv-5233-LK.” A copy of the checks and cover letters, if any, will be sent simultaneously to Twin Harbors and its counsel.

9. Within thirty (30) days of the effective date of this Consent Decree, BWC will pay \$42,000 (FORTY-TWO THOUSAND) for settlement of Twin Harbors’ litigation fees, expenses, and costs (including reasonable attorney and expert witness fees) by check payable and mailed to Smith & Lowney, PLLC, 2317 East John St., Seattle, WA 98112, attn: Richard Smith. BWC’s payment will be in full and complete satisfaction of any claims Twin Harbors has or may have, either legal or equitable, and of any kind or nature whatsoever, for fees, expenses, and costs incurred in the Litigation.

10. A force majeure event is any event outside the reasonable control of BWC that causes a delay in performing tasks required by this Consent Decree that cannot be cured by due

diligence. Delay in performance of a task required by this Consent Decree caused by a force majeure event is not a failure to comply with the terms of this Consent Decree, provided that BWC timely notifies Twin Harbors of the event; the steps that BWC will take to perform the task; the projected time that will be needed to complete the task; and the measures that have been taken or will be taken to prevent or minimize any impacts to stormwater quality resulting from delay in completing the task.

11. BWC will notify Twin Harbors of the occurrence of a force majeure event as soon as reasonably possible but, in any case, no later than fifteen (15) business days after BWC becomes aware of the event. In such event, the time for performance of the task will be extended for a reasonable period of time following the force majeure event.

By way of example and not limitation, force majeure events include:

- a. Acts of God, war, insurrection, or civil disturbance;
- b. Earthquakes, landslides, fire, floods;
- c. Actions or inactions of third parties over which defendant has no control;
- d. Unusually adverse weather conditions;
- e. Restraint by court order or order of public authority;
- f. Strikes;
- g. Any permit or other approval sought by BWC from a government authority to implement any of the actions required by this Consent Decree where such approval is not granted or is delayed, and where BWC has timely and in good faith sought the permit or approval;
- h. Litigation, arbitration, or mediation that causes delay;

i. Epidemics and pandemics, including but not limited to COVID-19 related delays; and

j. Supply chain issues or delays.

12. This Court retains jurisdiction over this matter while this Consent Decree remains in force. And, while this Consent Decree remains in force, this case may be reopened without filing fee so that the parties may apply to the Court for any further order that may be necessary to enforce compliance with this Consent Decree or to resolve any dispute regarding the terms or conditions of this Consent Decree. In the event of a dispute regarding implementation of, or compliance with, this Consent Decree, the parties must first attempt to resolve the dispute by meeting to discuss the dispute and any suggested measures for resolving the dispute. Such a meeting should be held as soon as practical but must be held within thirty (30) days after notice of a request for such a meeting to the other party and its counsel of record. If no resolution is reached at that meeting or within thirty (30) days of the Notice, either party may file a motion with this Court to resolve the dispute. The provisions of section 505(d) of the Clean Water Act, 33 U.S.C. § 1365(d), regarding awards of costs of litigation (including reasonable attorney and expert witness fees) to any prevailing or substantially prevailing party, will apply to any proceedings seeking to enforce the terms and conditions of this Consent Decree.

13. The parties recognize that, pursuant to 33 U.S.C. § 1365(c)(3), no consent judgment can be entered in a Clean Water Act suit in which the United States is not a party prior to forty-five (45) days following the receipt of a copy of the proposed consent judgment by the U.S. Attorney General and the Administrator of the U.S. EPA. Therefore, upon the filing of this Consent Decree by the parties, Twin Harbors will serve copies of it upon the Administrator of the U.S. EPA and the

1 Attorney General.

2 14. This Consent Decree will take effect upon entry by this Court. It terminates after the
3 later of the completion of BWC's obligations under paragraph 7.c.i. or eighteen (18) months after
4 the effective date of the consent decree.

5 15. Both parties have participated in drafting this Consent Decree.

6 16. This Consent Decree constitutes the entire agreement between the parties. There are
7 no other or further agreements, either written or verbal. This Consent Decree may be modified only
8 upon a writing signed by both parties and the approval of the Court.

9 17. If for any reason the Court should decline to approve this Consent Decree in the
10 form presented, this Consent Decree is voidable at the discretion of either party. The parties agree
11 to continue negotiations in good faith to cure any objection raised by the Court to entry of this
12 Consent Decree.

13 18. Notifications required by this Consent Decree must be in writing by email. For a
14 notice or other communication regarding this Consent Decree to be valid, it must be delivered to
15 the email addresses listed below or to any other address designated by the receiving party in a notice
16 in accordance with this paragraph 18.

17 **If to Twin Harbors:**

18 Lee First
19 Sue Joerger
20 Twin Harbors Waterkeeper
21 P.O. Box 751
22 Cosmopolis, WA 98537
23 Email: suejoerger1@gmail.com, leefrider7@gmail.com

And to:

Richard A. Smith

[PROPOSED] CONSENT DECREE

No. 3:22-cv-5233-LK

Savannah Rose
Smith & Lowney PLLC
2317 East John St.
Seattle, WA 98112
Email: richard@smithandlowney.com, savannah@smithandlowney.com

If to BWC:

Adam Smith
Email: asmith@bwcterminals.com

And to:

Beth S. Ginsberg
Veronica M. Keithley
Email: beth.ginsberg@stoel.com, veronica.keithley@stoel.com

A notice or other communication regarding this Consent Decree will be effective when received unless the notice or other communication is received after 5:00 p.m. on a business day, or on a day that is not a business day, then the notice will be deemed received at 9:00 a.m. on the next business day. A notice or other communication will be deemed to have been received upon receipt of a response by the party providing notice or other communication regarding this Consent Decree.

DATED this ____ day of _____, 2023.

HON. LAUREN KING
UNITED STATES DISTRICT JUDGE

[PROPOSED] CONSENT DECREE

No. 3:22-cv-5233-LK

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Smith & Lowney, pllc
2317 East John St.
Seattle, Washington 98112
(206) 860-2883

Exhibit 1



Quinault Indian Nation

POST OFFICE BOX 189 • TAHOLAH, WASHINGTON 98587 • TELEPHONE (360) 276-8211

February 15, 2023

Peter McVeigh, Attorney
Environment & Natural Resources Division
United States Department of Justice
P.O. Box 7415
Washington, D.C. 20044-7415

RE: Consent Decree, *Twin Harbors Waterkeeper v. BWC Terminal*

Dear Mr. McVeigh:

The Quinault Indian Nation is honored to accept funds pursuant to the proposed Consent Decree in the above-referenced case settling a dispute regarding National Pollution Discharge Elimination System (NPDES) permit requirements.

As stated in the proposed Consent Decree between Twin Harbors Waterkeeper and BWC Terminal, the Quinault Indian Nation agrees to the following:

1. The Quinault Indian Nation, through its Division of Natural Resources, will be the receiver of funds from BWC Terminal.
2. The Quinault Indian Nation is a federally recognized Indian tribe and is a tax-exempt organization pursuant to Internal Revenue Code Section 7871, which treats Indian tribes as States so that charitable contributions to them are tax deductible under Internal Revenue Code Section 170(c).
3. The Quinault Indian Nation, through its Office of Attorney General, has read and understands the proposed Consent Decree judgment.
4. The Quinault Division of Natural Resources will use these funds only for the purposes specified in the proposed Consent Decree judgment, including to help with the control of invasive plant species on the Humptulips River, which will contribute to the improvement of the water quality of Grays Harbor.
5. The Quinault Indian Nation will not use the money received under the proposed Consent Decree judgment for political lobbying activities.
6. Following the expenditure of funds provided by the settlement instrument, the Nation will submit to the Court, the United States, and the parties to the above-referenced case, a letter describing how the funds were spent.

7. The Quinault Indian Nation provides a project description below detailing how the funds will be spent.

Quinault Indian Nation has been effectively controlling invasive knotweed on the Quinault Indian Reservation for many years, with its most recent successes in the Quinault River watershed. These settlement funds will be used for invasive knotweed control in the Humptulips River watershed, which flows directly into the Grays Harbor estuary, in order to improve water quality. Knotweed has negative impacts to watershed health by outcompeting native plant species and creating bank-instability issues along the banks of rivers.

Although invasive knotweed is abundant along the Humptulips River, to date there has been no government or private entity that has addressed the infestation. The Grays Harbor Noxious Weed Board has identified this watershed as an important location to target for reducing knotweed infestations.

This Humptulips project will include landowner outreach and obtaining access permissions, initial reconnaissance of the uppermost extent of knotweed presence in the Humptulips watershed, and herbicide control of knotweed beginning this year (2023). Experienced field crews will treat knotweed with herbicide, and in subsequent years will re-treat areas to ensure control. Knotweed control will begin for the upper extent of the infestation, and continue downstream into the lower watershed as resources allow.

While this amount of funding is not enough to address the entire infestation in the Humptulips, this project would be a critical first step in addressing the problem.

Proposed Budget

Initial costs will be to conduct landowner outreach and obtain access permission. The remaining funds for the given year will be used for herbicide control and re-treatment of knotweed infestation areas. A rough proposed budget follows:

2023: \$44,000
2024: \$22,000
2025: \$11,000
2026: \$5,500
2027: \$2,750
2028: \$2,750

Total: \$80,000

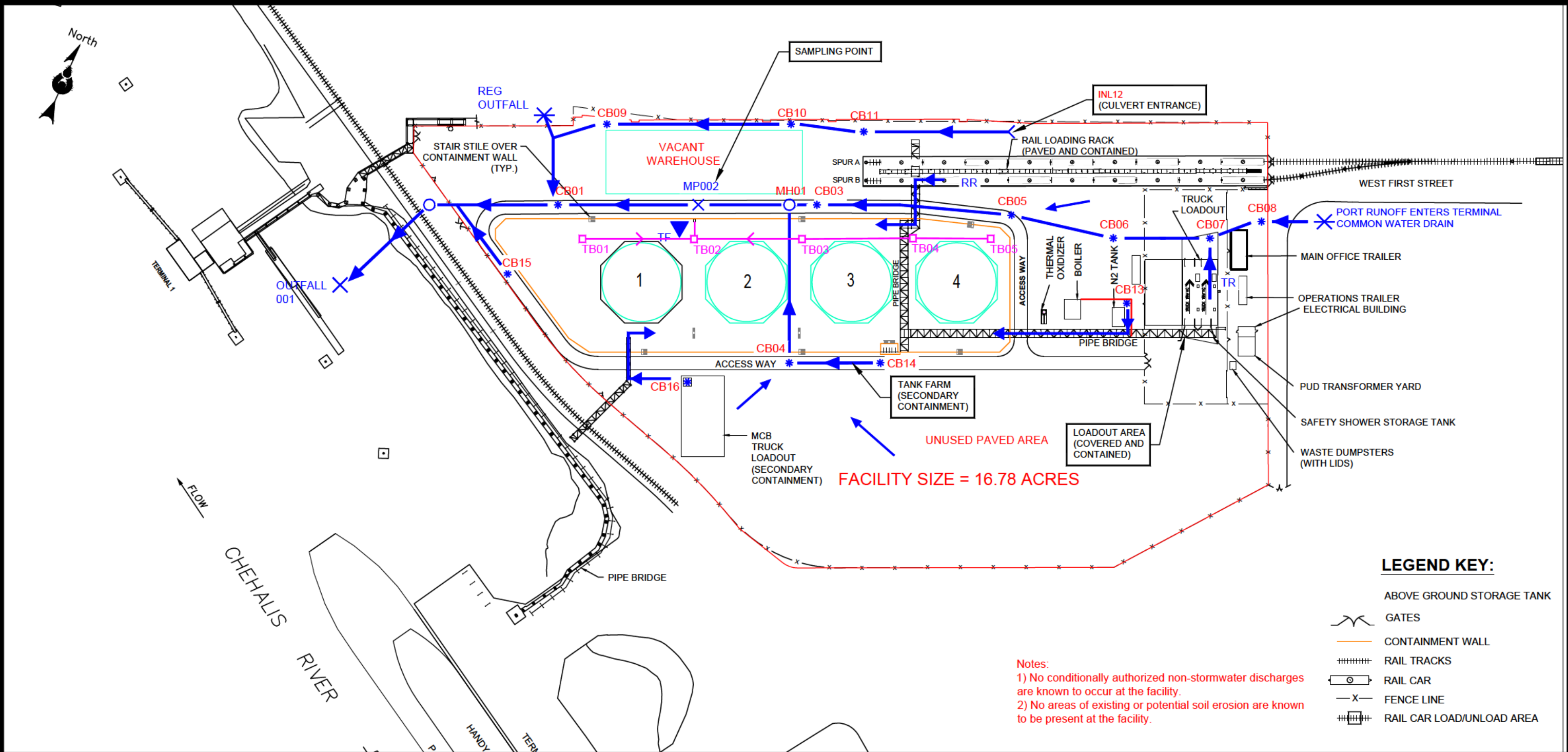
Thank you for the opportunity to use these settlement funds to address a critical issue affecting fish habitat and water quality in the Humptulips River watershed. Please address any questions to Karen Allston, Senior Assistant Attorney General for the Quinault Indian Nation at kallston@quinault.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Guy Capoeman", written over a horizontal line.

Guy Capoeman, President
Quinault Indian Nation

Exhibit 2



ENVIRONMENTAL LEGEND KEY:

	STORM WATER DRAINS		THIRD PARTY DISCHARGE POINT		CB01-16	STORM WATER CATCH BASIN NUMBER
	STORM WATER DRAINAGE PATTERN		PRIVATE STORM LINE			STORM WATER ACCESS POINT
	STORM WATER LINE		OUTFALLS		INL12	STORMWATER (CULVERT ENTRANCE)
	STORM WATER DRAIN CONTROL VALVE		RAILCAR LOAD/UNLOAD		TF	TANK FARM CONTAINMENT VALVE
	HAZARDOUS WASTE STORAGE AREA		TANK FARM CATCH BASIN		RR	RAIL RACK CONTAINMENT VALVE
	CONTAINMENT VALVE		TANK FARM CATCH BASIN NUMBER		TR	TRUCK RACK CONTAINMENT VALVE

7	UPDATE PER FIELD COMMENTS	9/13/20
6	REVISED LOGO	8/6/20
5	UPDATE SSD LABEL	6/27/19
10	UPDATE PER FIELD COMMENTS	9/27/22
9	UPDATE FOR SWPPP	7/1/22
8	UPDATE PER FIELD COMMENTS	10/12/21



GRAYS HARBOR
3128 PORT INDUSTRIAL ROAD
HOQUIAM, WA 98550

ENVIRONMENTAL MAP APPROX. SCALE: 1" = 150'

Exhibit 3



 X Procedure
 Policy
Authorized by: BWC Terminals LLC, Review Team

Effective Date: 02/08/2023
Revision No.: 00
Page 1 of 2

Stormwater Treatment - Grays Harbor GH 01

1.0 Purpose

This procedure provides directions and requirements for operation of the tank farm containment for stormwater treatment, including storage, screening, discharge, and sampling requirements.

2.0 Scope

This procedure applies to the Grays Harbor location employees who perform duties involving the facility's treatment and discharge of stormwater in the tank farm containment..

The requirements set forth in this procedure shall not supersede the Stormwater Pollution Prevention Plan (SWPPP), the Industrial Stormwater General Permit (ISGP), or applicable federal, state/provincial, and local government laws, codes, and regulations.

3.0 Definitions

- 3.1 **BMP** – Best Management Practices
- 3.2 **DMR** – Discharge Monitoring Report
- 3.3 **ISGP** – Industrial Stormwater General Permit
- 3.4 **SWPPP** – Stormwater Pollution Prevention Plan
- 3.5 **NTU** – Nephelometric Turbidity Units

4.0 Responsibilities

- 4.1 The **Terminal Manager**, or their designee, will be responsible for overseeing the treatment and discharge of stormwater in accordance with the SWPPP and ISGP. The responsibilities include, but are not limited to:
 - 4.1.1 Employee training
 - 4.1.2 Sampling outfalls for quarterly DMR
 - 4.1.3 Sample labeling and transportation to the lab
 - 4.1.4 Supervision of employees
 - 4.1.5 Recordkeeping
- 4.2 **Employees** are responsible for the following:
 - 4.2.1 Reporting spills
 - 4.2.2 Sampling once properly trained
 - 4.2.3 Participating in employee training
 - 4.2.3 Performing BMPs
 - 4.2.4 Completing documentation, as required

5.0 Procedure

5.1 Equipment Management

- 5.1.1 The Terminal Manager, or their designee, is responsible for verifying all components of the tank farm containment stormwater treatment and discharge system are functioning as designed including drains, containment walls and berms, sump pumps, discharge valves, and stormwater piping.
- 5.1.2 All employees are responsible for reporting issues with all stormwater management systems immediately

5.2 Stormwater Treatment in Tank Farm Containment

- 5.2.1 Terminal will allow a minimum of 36 inches of water to accumulate in the tank farm discharge vault prior to discharging any stormwater. Terminal will allow the stormwater in the tank farm to accumulate to as much as 3 inches above the tank farm drain grates if conditions (e.g., weather forecast, facility operations, analytical lab availability) in order to give the stormwater additional time for settling prior to discharge.

5.2.2

5.3 Screening Prior to Discharge of Treated Stormwater

- 5.3.1 Prior to discharge, a qualified and trained employee will screen treated stormwater for potential pollutants by conducting visual/olfactory and analytical testing as follows:
 - 5.3.1.2 Visual and olfactory screening: collect a sample of the stormwater into a clear glass jar. Observe for oil sheen, discoloration, cloudiness, odor and other characteristics of the products stored at the facility, as identified in Section 3.0 of the Grays Harbor Site Specific Discharge Inspection Procedure.
 - 5.3.1.3 Analytical testing: collect sample of the stormwater and analyze for turbidity by either using a calibrated field meter, or submitting the sample to an accredited analytical laboratory. See Sampling Plan in SWPPP for sample collection, handling, and laboratory requirements.
- 5.3.2. If the turbidity is not greater than 25 NTU and the visual/olfactory screening indicates no sheen, discoloration, cloudiness, or odor indicative of stormwater pollution (including spills/leaks of the products stored at the facility), the stormwater may be discharged.
- 5.3.3. If the turbidity is greater than 25 NTU or the visual/olfactory screening indicates sheen, discoloration, cloudiness, or odor indicative of stormwater pollution (including spills/leaks of the products stored at the facility), the stormwater shall continue to be held in the tank farm for additional settling or spill response as appropriate.

5.4 Discharge procedure

- 5.4.1 Discharge only treated stormwater that has been screened and cleared as described in Section 5.3, unless in an emergency situation.
- 5.4.2 The discharge valve is to be locked in a closed position except during active discharge of treated stormwater. The key to unlock the discharge valve is kept by the Terminal Manager.
- 5.4.3 Initiate discharge by unlocking and slowly opening the discharge valve.
- 5.4.4 Observe discharge for at least 5 minutes to confirm that there are no obvious issues (e.g., blockages) and that stormwater quality appears consistent with screening results.
- 5.4.5 Discharge may occur unattended during normal business hours when staff are present at the facility. If discharges need to extend beyond one day and no new stormwater is added to the tank farm containment, only visual and olfactory screening

needs to be completed before commencing discharge for the second or subsequent days.

- 5.4.6 Discharge overnight is allowable during extreme or emergent conditions (e.g., heavy storms).
- 5.4.7 Upon completion of discharge, close and lock the discharge valve and return the key to the Terminal Manager.

5.5 ISGP Compliance Sampling

- 5.5.1 Terminal will sample the discharge at least once per quarter in accordance with the Sampling Plan in Section 4 of the SWPPP.
- 5.5.2 Samples will be labeled and stored in accordance with the Sampling Plan in Section 4 of the SWPPP until they are transported to the laboratory for testing.
- 5.5.3 Samples will be transported to the laboratory with the Chain of Custody (COC) and analyzed in accordance with the sampling plan in Section 4 of the SWPPP.
- 5.5.4 New sample bottles will be requested at time of sample delivery.

5.6 Reporting

- 5.6.1 Sample results from the laboratory will be submitted to the Department of Ecology by means of a Discharge Monitoring Report (DMR) in accordance with the sampling plan in Section 4 of the SWPPP.
- 5.7.2 Do not report screening results on the DMR.

5.6 Employee Training

- 5.7.1 Employees tasked with managing stormwater treatment, screening, discharge, and sampling will receive training on these tasks annually as a component of the annual training identified in the SWPPP and required under the ISGP.

5.7 Recordkeeping

- 5.10.1 Reference Recordkeeping.
- 5.10.2 Screening results will be recorded and kept with the SWPPP.
- 5.10.3 This procedure is maintained electronically on the company intranet (controlled); an uncontrolled hard copy is maintained at each operating site.

6.0 Variances

Deviation from the approved procedure must be clearly and specifically described in writing and approved by a Director or higher. A written variance will only be in effect for the time period designated by the person approving the variation.

Revision Log

Revision No.:	Reason for Changes(s):	Date:
00	NEW	02/08/2023

Exhibit 4

**X Procedure****Policy****Authorized by: BWC Terminals Review Team****Effective Date: 01/01/2023****Revision No. 00****Page 1 of 2**

Grays Harbor Site Specific Water Discharge Inspection

1.0 Purpose

This procedure provides a standardized format for documentation of inspections prior to discharging containment water at the Grays Harbor Terminal. These inspections will add a Best Management Practice (BMP) in accordance with our SPCC Plan.

2.0 Scope

This procedure applies to the BWC Grays Harbor Terminal. The requirements set forth in this program shall not supersede any applicable federal, state/provincial, and local government laws, codes and regulations.

3.0 Chemical Characteristics

3.1 Methanol

- 3.1.1 Clear liquid, less dense than water (relative density of 0.79)
- 3.1.2 Has a faint odor of alcohol
- 3.1.3 Leaks may disperse surface water
- 3.1.4 Leaks may dry otherwise damp areas
- 3.1.5 May cloud water when combined

3.2 MDI

- 3.2.1 Brown liquid, thicker than water (relative density of 1.19)
- 3.2.2 No perceived odor
- 3.2.3 Recently released material may thicken to gelatinous state
- 3.2.4 Older dried leaks may form crystalline crust
- 3.2.5 Will not mix with water

3.3 MCB

- 3.3.1 Clear to lightly yellow liquid, watery consistency
- 3.3.2 Strong glue-like odor
- 3.3.3 Will form sheen on water, but is more dense than water (relative density of 1.11)
- 3.3.4 Will not mix with water

4.0 Responsibilities

4.1 Terminal managers, or their designees, shall:

- 4.1.1 Ensure that personnel under their direction comply with this procedure.
- 4.1.2 Ensure that the Water Discharge BMP is completed prior to any discharge and during normal business.
- 4.1.3 Ensure that only trained employees complete the inspection outlined in this procedure.
 - 4.1.3.1 Terminal managers or their designees shall conduct on-the-job training (OJT) on how to conduct proper inspections.
 - 4.1.3.2 Terminal managers shall evaluate and determine when personnel are competent to perform inspections, based on their knowledge and experience.

- 4.1.4 Ensure that the Water Discharge Inspection reports are properly documented, reviewed, and filed.

4.2 Operators shall:

- 4.2.1 Be diligent and thorough when performing terminal inspections
- 4.2.2 Document any perceived deficiencies recognized in the inspection
- 4.2.3 Notify the Terminal Manager, or his designee, about any deficiencies noted in the inspection

5.0 Procedure

5.1 Areas Of Inspection

- 5.1.1 Containment Walls
- 5.1.2 Ground Surface
- 5.1.3 Pumps
- 5.1.4 Piping / Flanges
- 5.1.5 Manways
- 5.1.6 Pump pits

5.2 Inspection Process

Inspector shall observe each area of inspection for evidence of product leaks or spills, looking for the specific characteristics of each product identified in Section 3.0. Inspection will be documented on the Water Discharge Inspection form attached to this procedure. Inspection results will be reviewed with the Terminal Manager, or their designee, prior to commencing discharge of treated stormwater.

5.2 Completed Inspection

Once all areas of inspection are complete and satisfactory for discharge the Water Discharge Procedure will be enacted until the completion of the water drawdown. If the inspection is not satisfactory, notify the Terminal Manager immediately.

5.3 Recordkeeping

- 5.3.1 Completed inspection forms will be maintained at the Grays Harbor Terminal office.
- 5.3.2 This procedure is maintained electronically on the BWC Terminals intranet and records are maintained at the Grays Harbor Terminal.

6.0 Variance

Deviation from the approved procedure must be clearly and specifically described in writing and approved by a Director or higher. A written variance will only be in effect for the time period designated by the person approving the variation.

Revision Log

Revision No.:	Reason for Change(s):	Date:
00	New	01/01/2023

Exhibit 5



Stormwater Pollution Prevention Plan (SWPPP)

for:

BWC Terminals LLC
Grays Harbor Terminal
3128 Port Industrial Rd
Hoquiam, WA 98550

SWPPP Contact(s):

BWC Terminals LLC
Steve Williams
3128 Port Industrial Rd
Hoquiam, WA 98550
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SWPPP Preparation Date:

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- A 2020 Industrial Stormwater General Permit
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Revision Table

Revision #	Reason for Change(s)	Date
00	New	09/19/2018
01	Company name change	08/17/2020
02	Monitoring Point Update	06/22/2021
03	MDI and MCB Addition	01/20/2022
04	General SWPPP Update, migrate to Ecology template	07/01/2022
05	SWPPP Site Map and Sampling Plan update	10/05/2022

Section 1. Facility Description and Contact Information

1.1 Facility Information

Facility Information

Name of Facility: Grays Harbor Terminal

Street: 3128 Port Industrial Rd

City: Hoquiam State: WA ZIP Code: 98550

County: Grays Harbor

Permit Number: WAR-306512

Latitude/Longitude

Latitude: 46.967116 ° N

Longitude: 123.853457° W

Coordinates determined using by locating facility entrance on Google Earth. Horizontal datum = WGS 84.

Estimated area of industrial activity at site exposed to stormwater: 16 (acres)

Discharge Information

Does this facility discharge stormwater into surface waters? ☒ Yes ☐ No

Does this facility discharge stormwater into a municipal storm water conveyance system? ☒ Yes ☐ No

NAICS Code(s): 493190 – Other Warehousing and Storage

SIC Code(s): 4226 – Special Warehousing and Storage, NEC

(You can look up your SIC Code at this website: <http://www.osha.gov/pls/imis/sicsearch.html>)

1.2. Contact Information/Responsible Parties

Facility Operator (s):

Name: Steve Williams, Terminal Manager
Address: 3128 Port Industrial Road
City, State, Zip Code: Hoquiam, WA 98550
Telephone Number: 360-533-8060 Cell Phone Number: 360-593-9073
Email address: swilliams@bwcterminals.com

Facility Owner (s):

Name: BWC Terminals, LLC
Address: 1111 BAGBY STREET, SUITE 1800

City, State, Zip Code: HOUSTON, TX 77002
Telephone Number: 832-699-4001
Email address: INFO@BWCTERMINALS.COM

SWPPP Contact:

Name: Steve Williams, Terminal Manager
Telephone number: 360-533-8060 Cell Phone Number: 360-593-9073
Email address: swilliams@bwcterminals.com

1.3. General Location Map

The general location map for this facility is shown on Figure 1.

1.4. Site Map

The SWPPP site map for this facility is shown on Figure 2.

1.5. Stormwater Pollution Prevention Team

Staff Names and/or Title	Individual Responsibilities
Regional HSEQ Director	Permit application and renewal, coordinates corporate decisions on capital expenditures, signatory authority.
Terminal Manager	Supervise site operations, coordinating corrective actions, overseeing sampling & monthly inspections. Sign and certify documents as duly authorized representative. SWPPP development, implementation, maintenance and modification. DMRs and annual report, and record keeping, perform monthly stormwater inspection
Operations Supervisor	Perform sampling and monthly terminal inspections.
Terminal Staff	Day-to-day BMP implementation

Section 2. Facility Assessment

2.1. Facility Description

Industrial Activity: The primary industrial activities at the facility are the loading, unloading and storage of methanol. The product is brought into and out of the Facility via ocean-going ship, over-the-road truck, and rail tank cars. Methanol and methylene diphenyl diisocyanate (MDI) are stored in four ~80,000-barrel capacity tanks with internal floating roofs located in a tank farm secondary containment area. Secondary industrial activities include truck traffic and loading and unloading of monochlorobenzene (MCB) in a paved secondary containment area. Significant portions of the lease area are not used for industrial activity, including infrequently used roads, a large open paved area, vacant warehouse building, and unused gravel areas.

Regular Business Hours: The Facility operates from 8:00 am to 4:30 pm Monday through Friday. Marine (dock) operations are scheduled on a 7-days per week, 24-hour per day basis as required to handle vessels. Trucks can be loaded on 7-days per week, 24-hour per day basis by self-loading truck drivers.

General Layout:

The Facility is alongside the Chehalis River in the Port of Grays Harbor on 16.78 acres of land leased from the Port (Figure 1). The Facility layout is shown in Figure 2. A perimeter fence and gate prevent unauthorized access to the Facility. The Facility is located on West First Street. Rail and road access is from the East. Trucks entering the facility pass through the security gate, then pass through the covered truck loadout building on the east end of the Facility. There is little truck traffic through the majority of the facility.

The Tank Farm occupies the central and western portion of the Facility and consists of four large methanol tanks in secondary containment. The MCB loadout facility was recently added on the southwestern portion of the Facility.

2.2. Industrial Activity, Materials Inventory, and Associated Pollutants

The following outlines and further describes current conditions at the Facility with regard to potential pollutant sources. The sources are as follows:

- Materials Loading and Unloading Areas
- Aboveground Storage Tanks
- Pumping and valve equipment
- Materials and Waste Storage
- Maintenance Operations

Materials Loading and Unloading

Bulk liquids and products are received by or shipped from the Facility by three methods: rail, tanker truck or vessel. Loading and unloading areas for these three different methods are shown on the maps in Appendix C. Potential pollutant sources inherent to piping and pumping operations associated with the loading or unloading of materials are:

- Over filling Facility tankage or vehicles during loading or unloading.
- Incidental spillage while loading or unloading materials.
- Leakage of residual material from pipes or hoses once loading or unloading is complete.

Aboveground Tankage

A list of tanks by number, size, and contents at the Facility is available on-site, and in Table 3-1 in Appendix B. The locations of the individual tanks are shown for reference on the maps in Appendix C. Potential pollutant sources from the tanks would result from possible leakage or rupture.

Pumping and Valve Equipment

There are pumping and valve equipment associated with each tank and also associated with the movement of raw materials and product around the Facility. This equipment can leak or malfunction. Some pumps at the Facility have filters that are changed on a regular basis. The filter changing operation can result in the release of potential pollutants.

Product sampling locations exist at various tanks and pumps at the Facility. Samples are routinely taken from these locations to test the materials and product for purity and mix quality. The valving at sampling locations and associated activities can be a possible source of potential pollutants.

Materials and Waste Storage

Materials, not stored in tanks but stored on site, which would pose a potential pollution problem are very limited and stored in quantities less than five gallons. Used oils are generated in very small quantities at the Facility as no vehicular equipment is maintained. The small quantity of oil is generated primarily from pump and other mechanical equipment lubrication.

No other materials or wastes are stored at the Facility that would cause a potential pollutant problem.

Maintenance Activities

Maintenance activities at the site are very limited. There is no vehicle maintenance conducted at the site. Minor fixed equipment maintenance, such as pump lubrication, is performed where such equipment is located inside containment areas.

Sandblasting and painting activities for tankage and piping are performed only on a very infrequent basis by a licensed contractor.

Miscellaneous

Offsite pollutants could pose a potential problem at the Facility. Run-on of storm water occurs from the adjacent facilities to the north and east of the Facility.

2.3. Spills and Leaks

Areas of Site Where Potential Spills/Leaks Could Occur

Location	Outfalls
Tank Farm	001– normally closed valve prevents discharge
Rail Loading Rack	001 – discharge closed during loading operations
Truck Loadout Area	001 – normally closed valve prevents discharge
MCB Truck Loadout	001 – containment berm prevents discharge
Vehicle Traffic Areas	001
N2 and Boiler Wastewater Tanks Area	001 – containment berm prevents discharge

A log of past spills and leaks is maintained onsite.

Section 3. Best Management Practices (BMPs)

BMPs were selected from the following sources:

- Industrial Stormwater General Permit
- Ecology, 2019, Stormwater Management Manual for Western Washington (2019 SWMMWW)

In addition, the facility maintains a USCG Operations Manual that includes requirements related to stormwater pollution prevention and spill prevention and cleanup:

3.1 Operational Source Control BMP

Good Housekeeping

Mandatory Operational Source Control BMPs required by condition S3. of the Industrial Stormwater General Permit:

Good Housekeeping:

See Table 3 for a summary of key Good Housekeeping BMPs

- Vacuum paved surfaces with a vacuum sweeper (or a sweeper with a vacuum attachment) to remove accumulated pollutants a minimum of once per quarter.
- Identify and control all on-site sources of dust to minimize stormwater contamination from the deposition of dust on areas exposed to precipitation.
- Inspect and maintain bag houses monthly to prevent the escape of dust from the system. Immediately remove any accumulated dust at the base of exterior bag houses.
- Keep all dumpsters under cover or fit with a lid that must remain closed when not in use.
- Condition S3. of the Industrial Stormwater General Permit requires the SWPPP to include the “applicable” Good Housekeeping Operational and Source Control BMPs listed in Ecology’s SWMMs, or other guidance documents as mandatory.

S421 BMPs for Parking and Storage of Vehicles and Equipment

- If a parking lot must be washed, discharge the washwater to a sanitary sewer, if allowed by the local sewer authority, or other approved wastewater treatment system, or collect washwater for off-site disposal.
- Do not hose down the area to a storm sewer or receiving water. Vacuum sweep parking lots, storage areas, and driveways regularly to collect dirt, waste, and debris. Mechanical or hand sweeping may be necessary for areas where a vacuum sweeper cannot reach.
- Clean up vehicle and equipment fluid drips and spills immediately.
- Place drip pans below leaking vehicles (including inoperative vehicles and equipment) in a manner that catches leaks or spills, including employee vehicles. Drip pans must be managed to prevent overfilling and the contents disposed of properly.

S427 BMPs for Storage of Liquid, Food Waste, or Dangerous Waste Containers

- Place tight-fitting lids on all containers.
- Label all containers appropriately. Store containers so that the labels are clearly visible.

- Place drip pans beneath all mounted container taps and at all potential drip and spill locations during filling and unloading of containers.
- Inspect container storage areas regularly for corrosion, structural failure, spills, leaks, overfills, and failure of piping systems. Check containers daily for leaks/spills. Replace containers, and replace and tighten bungs in drums as needed.
- Empty drums containing residues should be stored to prevent stormwater from entering drum closures. Cover or tilt drums to prevent stormwater from accumulating on the top of empty drums and around drum closures.
- Store containers that do not contain free liquids in a designated sloped area with the containers elevated or otherwise ~~protected~~ from stormwater run-on. Comply with local fire code.
- Secure drums when stored in an area where unauthorized persons may gain access in a manner that prevents accidental spillage, pilferage, or any unauthorized use.
- If the material is a Dangerous Waste, the business owner must comply with any additional Ecology requirements as specified in Ecology Requirements for Generators of Dangerous Wastes within I-2.15 Other Requirements.
- Storage of flammable, ignitable, and reactive chemicals and materials must comply with the stricter of local zoning codes, local fire codes, the Uniform Fire Code (UFC), UFC standards, or the National Electric Code
- Have spill kits or cleanup materials near container storage areas.
- Clean up all spills immediately.
- Cover dumpsters, or keep them under cover such as a lean-to, to prevent the entry of stormwater. Keep dumpster lids closed.
- Replace or repair leaking garbage dumpsters, or install waterproof liners.
- Drain dumpsters and/or dumpster pads to sanitary sewer where approved by the sewer authority.
- When collection trucks directly pick up roll-containers, ensure a filet is on both sides of the curb to facilitate moving the dumpster.

S428 BMPs for Storage of Liquids in Permanent Aboveground Tanks

- Inspect the tank containment areas regularly for leaks/spills, cracks, corrosion, etc. to identify problem components such as fittings, pipe connections, and valves.
- Place adequately sized drip pans beneath all mounted taps and drip/spill locations during filling/unloading of tanks. Operators may need valved drain tubing in mounted drip pans.
- ~~Vacuum sweep and clean the tank storage area regularly, if paved.~~ N/A – Tank Farm containment is not paved.
- Replace or repair tanks that are leaking, corroded, or otherwise deteriorating.
- Storage of flammable, ignitable, and reactive chemicals and materials must comply with the stricter of local zoning codes, local fire codes, the Uniform Fire Code (UFC), UFC standards, or the National Electric Code.

S412 BMPs for Loading and Unloading Areas for Liquid or Solid Material

At All Loading/ Unloading Areas:

- A significant amount of debris can accumulate at outside, uncovered loading/unloading areas. Sweep these surfaces frequently to remove loose material that could contaminate stormwater.

Sweep areas temporarily covered after removal of the containers, logs, or other material covering the ground.

- Place drip pans, or other appropriate temporary containment device, at locations where leaks or spills may occur such as hose connections, hose reels and filler nozzles. Always use drip pans when making and breaking connections. Check loading/unloading equipment such as valves, pumps, flanges, and connections regularly for leaks and repair as needed.

At Tanker Truck and Rail Transfer Areas to Above/~~Below~~-ground Storage Tanks:

- To minimize the risk of accidental spillage, prepare an "Operations Plan" that describes procedures for loading/unloading. Train employees in its execution and post it or otherwise have it readily available to all employees.
- Report spills of reportable quantities to Ecology.
- Prepare and implement an Emergency Spill Cleanup Plan for the facility which includes the following BMPs:
- Ensure the cleanup of liquid/solid spills in the loading/unloading area immediately, if a significant spill occurs, and, upon completion of the loading/unloading activity, or, at the end of the working day.
- Retain and maintain an appropriate oil spill cleanup kit on-site for rapid cleanup of material spills.
- Ensure that an employee trained in spill containment and cleanup is present during loading/unloading.

S417 BMPs for Maintenance of Stormwater Drainage and Treatment Systems

- Maintain stormwater treatment facilities per the operations and maintenance (O&M) procedures presented in Appendix V-A: BMP Maintenance Tables in the 2019 SWMMWW in addition to the following BMPs:
- Inspect and clean treatment BMPs, conveyance systems, and catch basins as needed, and determine necessary O&M improvements.
- Promptly repair any deterioration threatening the structural integrity of stormwater facilities. These include replacement of clean-out gates, catch basin lids, and rock in emergency spillways.
- Ensure adequacy of storm sewer capacities and prevent heavy sediment discharges to the sewer system.
- Regularly remove debris and sludge from BMPs used for peak-rate control, treatment, etc. and discharge to a sanitary sewer if approved by the sewer authority, or truck to an appropriate local or state government approved disposal site.
- Clean catch basins when the depth of deposits reaches 60 percent of the sump depth as measured from the bottom of basin to the invert of the lowest pipe into or out of the basin. However, in no case should there be less than six inches clearance from the debris surface to the invert of the lowest pipe. Some catch basins (for example, WSDOT's Catch Basin Type 1L (WSDOT, 2011)) may have as little as 12 inches sediment storage below the invert. These catch basins need frequent inspection and cleaning to prevent scouring. Where these catch basins are part of a stormwater collection and treatment system, the system owner/operator may choose to concentrate maintenance efforts on downstream control devices as part of a systems approach.
- Properly dispose of all solids, polluted material, and stagnant water collected through system cleaning. Do not decant water back into the drainage system from eductor trucks or vacuum

equipment since there may be residual contaminants in the cleaning equipment. Do not jet material downstream into the public drainage system.

- Clean woody debris in a catch basin as frequently as needed to ensure proper operation of the catch basin.
- Post warning signs; "Dump No Waste - Drains to Ground Water," "Streams," "Lakes," or emboss on or adjacent to all storm drain inlets where possible.
- Disposal of sediments and liquids from the catch basins must comply with Appendix IV-B: Management of Street Waste Solids and Liquids from the 2019 SWMMWW.

Preventive Maintenance:

- Clean catch basins when the depth of debris reaches 60% of the sump depth. In addition, the Permittee must keep the debris surface at least 6 inches below the outlet pipe.
- Inspect all equipment and vehicles during monthly site inspections for leaking fluids such as oil, antifreeze, etc. Take leaking equipment and vehicles out of service or prevent leaks from spilling on the ground until repaired.
- Immediately clean up spills and leaks (e.g., using absorbents, vacuuming, etc.) to prevent the discharge of pollutants.
- Condition S3. of the Industrial Stormwater General Permit requires the SWPPP to include the "applicable" Preventative Maintenance Operational and Source Control BMPs listed in Ecology's SWMMs, or other guidance documents as mandatory.

See Table 3 for additional Preventive Maintenance BMPs

Spill Prevention and Emergency Cleanup:

- Store all chemical liquids, fluids, and petroleum products, on an impervious surface that is surrounded with a containment berm or dike that is capable of containing 10% of the total enclosed tank volume or 110% of the volume contained in the largest tank, whichever is greater.
- Prevent precipitation from accumulating in containment areas with a roof or equivalent structure or include a written plan on how it will manage and dispose of accumulated water if a containment area cover is not practical.
- Locate spill kits within 25 feet of all stationary fueling stations, fuel transfer stations, and mobile fueling units. At a minimum, spill kits shall include:
 - Oil absorbents capable of absorbing 15 gallons of fuel.
 - A storm drain plug or cover kit.
 - A non-water containment boom, a minimum of 10 feet in length with a 12 gallon absorbent capacity.
 - A non-metallic shovel.
 - Two five-gallon buckets with lids.
- Not lock shut-off fueling nozzles in the open position. Do not "topoff" tanks being refueled.
- Block, plug or cover storm drains that receive runoff from areas where fueling, during fueling.
- Use drip pans or equivalent containment measures during all petroleum transfer operations.
- Locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas).
- Use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible. Drain fluids from equipment and vehicles prior to on-site storage or disposal.

- Maintain a spill log that includes the following information for chemical and petroleum spills: date, time, amount, location, and reason for spill; date/time clean-up completed, notifications made and staff involved.
- Condition S3. of the Industrial Stormwater General Permit requires the SWPPP to include the “applicable” Spill Prevention Operational and Source Control BMPs listed in Ecology’s SWMMs, or other guidance documents as mandatory.

The Facility has developed and implemented spill control plans through several other required documents (listed in the introduction to Section 3.1) to reduce the likelihood of the release of contaminants and to respond to pollutant release in the event of an accident. These plans address spill prevention and control of oil and hazardous material, including:

- Spill response and clean-up measures.
- Reporting procedures in the event of spills.
- Inspections and record keeping.
- Security.
- Personnel training.

These existing facility plans will be used to reduce the likelihood of spills of oil and hazardous materials and respond to spills of such materials should they occur. For the purpose of this SWPPP however, the following actions should be implemented at a minimum if spills occur:

1. If the release is in excess of a reportable quantity (RQ), notify the National Response Center (NRC) at (800) 424-8802, the Department of Ecology Southwest Region at (360) 407-6300, and the EPA at (214) 665-2222.
2. This section of the SWPPP describing spills and leaks must be revised within 14 days to identify and describe additional control measures to reduce the likelihood of reoccurrence of such a release and improve the response to such a release.
3. Compliance with the prescribed cleanup and notification procedures.

Additionally, BMPs listed in Table 4 will be implemented. The BWC HSEQ Department has created a spill notification form that is used to document any release and the actions taken to remediate any detriment to the environment. This form addresses all spills of toxic or hazardous materials and record is kept on site.

Employee Training

Be sure to address the following items in this section:

- The content of the training:
 - An overview of what is in the SWPPP.
 - How employees make a difference in complying with the SWPPP and preventing contamination of stormwater.
 - Spill response procedures, good housekeeping, maintenance requirements, and material management practices.
- How the Permittee will conduct training.
- The frequency/schedule of training. The Permittee shall train employees annually, at a minimum.
- A log of the dates on which specific employees received training.

Training of Facility employees will be provided to aid in control of storm water pollution. Effective control of storm water pollution will require all Facility staff to be alert to those conditions that can contribute to storm water pollution and their important role in reducing the potentials for such pollution.

The Pollution Prevention Team will be responsible for assuring implementation of a training program for operations staff at the Facility for the purposes of assuring the staff understands the SWPPP, how it is to be implemented, and their role in implementing control measures. The training can be implemented in conjunction with other pollution control training.

Recurrent training will be provided to employees at least once a year. New employees will receive training as part of their Facility orientation program. The following subjects will be addressed in the training program:

- Objectives and requirements of the SWPPP
- Spill prevention and response procedures.
- Good housekeeping practices.
- Maintenance requirements.
- Materials management practices.
- Making a difference thru compliance with the SWPPP.
- Preventing contamination of storm water.

Training will be administered via in-person training during a monthly safety meeting and online using BWC's Working Bird computer-based training. Records of the safety meeting and from Working Bird will be used to document SWPPP training and its implementation. Completed forms will be maintained in HSEQ training manual or employee files.

Inspections, Reporting, and Recordkeeping

The Terminal Manager, or his designee, will visually inspect the Facility each month, documenting such inspection on the Industrial Stormwater Monthly Inspection Report (Appendix D) and the Monthly Terminal Inspection, HSEQ-43A. Records of previous inspections are available at the Facility office. Any necessary action items that arise from either inspection will be logged and tracked by entry into BWC's XLR8 database tracking tool. Closure of any action item will be made in XLR8.

Inspections shall:

- Verify the accuracy of the pollutant source descriptions in the SWPPP.
- Verify the performance of the stormwater operational and structural source controls and the treatment BMPs.
- Reflect current conditions on the site.
- Include written observations of the presence of floating materials, suspended solids, oil and grease, discoloration, turbidity and odor in the stormwater discharges and in outside vehicle maintenance/repair; liquid handling, and storage areas.
- Eliminate or obtain a permit for unpermitted non-stormwater discharges to storm drains or receiving waters, such as process wastewater and vehicle/equipment washwater.

During each inspection, note any missing or deficient BMPs and develop a plan for making the corrections necessary. If the deficiency remains at the later of 1) the next monthly inspection or 2) a timely and

responsive schedule established on the original monthly inspection, then the facility is not in compliance with the SWPPP.

Inspections and reports required under the permit will be signed by a Duly Authorized Representative under Condition G2 of the permit. The Terminal Manager is a duly authorized representative.

All records created, maintained, or otherwise associated with the Permit will be maintained at the Facility office for a minimum of five years. A specific list of necessary documents is listed in the Records Retention (Section S9.C) of the Permit.

Illicit Discharges

Water from washing vehicles or equipment, steam cleaning and/or pressure washing is considered process wastewater. The Permittee must not allow this process wastewater to comeingle with stormwater or enter storm drains; and must collect in a tank for off-site disposal, or discharge it to a sanitary sewer, with written approval from the local sewage authority.

During each monthly site inspection, look for signs of illicit discharges, especially during dry weather when stormwater isn't discharging from the site. Each monthly site inspection will include:

- Observations made at stormwater sampling locations and areas where stormwater associated with industrial activity is discharged off-site; or discharged to waters of the state, or to a storm sewer system that drains to waters of the state.
- Observations for the presence of floating materials, visible oil sheen, discoloration, turbidity, odor, etc. in the stormwater discharge(s).
- Observations for the presence of illicit discharges such as domestic wastewater, noncontact cooling water, or process wastewater (including leachate).
 - If an illicit discharge is discovered, the Permittee shall notify Ecology within seven days.
 - The Permittee shall eliminate the illicit discharge within 30 days.

3.2. Structural Source Control BMPs

Mandatory Structural Source Control BMPs required by Condition S3. of the Industrial Stormwater General Permit:

- Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations).
- Perform all cleaning operations indoors, under cover, or in bermed areas that prevent stormwater runoff and run-on and also that capture any overspray.
- Ensure that all washwater drains to a collection system that directs the washwater to further treatment or storage and not to the stormwater drainage system.
- Condition S3. of the Industrial Stormwater General Permit requires the SWPPP to include the "applicable" Structural Source Control BMPs listed in Ecology's SWMMs, or other guidance documents as mandatory.

S427 BMPs for Storage of Liquid, Food Waste, or Dangerous Waste Containers

- Keep containers with Dangerous Waste, food waste, or other potential pollutant liquids inside a building unless this is not feasible due to site constraints or Uniform/International Fire Code requirements.
- Store containers in a designated area, which is covered, bermed or diked, paved and impervious in order to contain leaks and spills (see [Figure IV-5.3: Covered and Bermed Containment Area in 2019 SWMMWW](#)). Slope the secondary containment to drain into a dead-end sump for the collection of leaks and small spills.
- For liquid materials, surround the containers with a dike as illustrated in [Figure IV-5.3: Covered and Bermed Containment Area](#). The dike must be of sufficient height to provide a volume of either 10 percent of the total enclosed container volume or 110 percent of the volume contained in the largest container, whichever is greater.
- Where material is temporarily stored in drums, use a containment system as illustrated, in lieu of the above system (see [Figure IV-5.1: Secondary Containment System in 2019 SWMMWW](#)).
- Place containers mounted for direct removal of a liquid chemical for use by employees inside a containment area as described above. Use a drip pan during liquid transfer (see [Figure IV-5.4: Mounted Container - With Drip Pan in 2019 SWMMWW](#)).

S428 BMPs for Storage of Liquids in Permanent Aboveground Tanks

- Locate permanent tanks in impervious (Portland cement concrete or equivalent) secondary containment surrounded by dikes as illustrated in [Figure IV-5.5: Above-Ground Tank Storage](#), or use UL Approved double-walled tanks. The dike must be of sufficient height to provide a containment volume of either 10 percent of the total enclosed tank volume or 110 percent of the volume contained in the largest tank, whichever is greater.
- Slope the secondary containment to drain to a normally closed valve, for the collection of small spills.
- Include a tank overflow protection system to minimize the risk of spillage during loading.

S412 BMPs for Loading and Unloading Areas for Liquid or Solid Material

All Loading/ Unloading Areas:

- Consistent with Uniform Fire Code requirements and to the extent practicable, conduct unloading or loading of solids and liquids in a manufactured building, under a roof, or lean-to, or other appropriate cover.
- Berm, dike, and/or slope the loading/unloading area to prevent run-on of stormwater and to prevent the runoff or loss of any spilled material from the area.

- Place curbs along the edge of the shoreline, or slope the edge such that the stormwater can flow to an internal storm sewer system that leads to an approved treatment BMP. Avoid draining directly to the surface water from loading areas.
- Pave and slope loading/unloading areas to prevent the pooling of water. Minimize the use of catch basins and drain lines within the interior of the paved area or place catch basins in designated “alleyways” that are not covered by material, containers, or equipment.
- Retain on-site the necessary materials for rapid cleanup of spills.

Tanker Truck Transfer Areas to Above/Below-Ground Storage Tanks:

- Pave the area on which the transfer takes place. If any transferred liquid, such as gasoline, is reactive with asphalt pave the area with Portland cement concrete.
- Slope, berm, or dike the transfer area to a dead-end sump, spill containment sump, a spill control (SC) oil/water separator, or other spill control device. The minimum spill retention time should be 15 minutes at the greater flow rate of the highest fuel dispenser nozzle through-put rate, or the peak flow rate of the 6-month, 24-hour storm event over the surface of the containment pad, whichever is greater. The volume of the spill containment sump should be a minimum of 50 gallons with an adequate grit sedimentation volume.

3.3. Treatment BMPs

<u>Structure:</u>	Settling in Secondary Containment Structure
<u>Date of Implementation:</u>	Tank Farm – since construction; Rail Loading Rack added in 2022
<u>Discharge Point:</u>	MP002
<u>Area(s) Treated:</u>	Rail Loading Rack; Methanol Tank Farm
<u>Pollutants Removed:</u>	Solids, turbidity, total metals
<u>Maintenance Requirement(s):</u>	<u>Frequency:</u>
Remove accumulated sediment	As needed
Pump maintenance	According to Manufacturer's Specifications

Mandatory Treatment BMPs required by Condition S3. of the Industrial Stormwater General Permit
(See Condition S3.B.4.b.iii of the permit (beginning on pg. 20) for more information):

- Condition S3 of the Industrial Stormwater General Permit requires permittees to implement Treatment BMPs listed as “applicable” in Ecology’s SWMMs, or other approved guidance documents (see Condition S3.A.3).
- The Permittee may omit individual BMPs if site conditions render the BMP unnecessary, infeasible, or the Permittee provides alternative and equally effective BMPs; if the Permittee clearly justifies each BMP omission in the SWPPP.
- Employ oil/water separators, booms, skimmers or other methods to eliminate or minimize oil and grease contamination of stormwater discharges.
 - Many “off the shelf” oil removal BMPs are available (Absorptive booms, skimmers, pads, etc.)
 - If an **oil/water separator** needs to be designed and installed, refer to:
 - Stormwater Management Manual for Western WA (Vol. V, Ch.11):
<http://www.ecy.wa.gov/biblio/0510033.html>
 - Stormwater Management Manual for Eastern WA (Chapter 5.10)
<http://www.ecy.wa.gov/pubs/0410076.pdf>
- Obtain Ecology approval before beginning construction/installation of all treatment BMPs that include the addition of chemicals to provide treatment (e.g., polymer enhanced sand-filter systems, electro-coagulation systems, etc).

Applicable Treatment BMPs from Ecology’s Stormwater Management Manual for Western Washington**Treatment BMPs for Railroad Yards:**

- In areas subjected to leaks/spills of oils or other chemicals convey the contaminated stormwater to appropriate treatment such as a sanitary sewer, if approved by the appropriate sewer authority, or, to a CP or API oil/water separator for floating oils, or other treatment, as approved by the local jurisdiction. Stormwater from the Rail Loading Area is transferred to the secondary containment of the Tank Farm for settling prior to discharge.

Treatment BMPs for Storage of Liquids in Permanent Above-ground Tanks:

- If the tank containment area is uncovered, equip the outlet from the spill-containment sump with a shutoff valve, which is normally closed and may be opened, manually or automatically, only to convey contaminated stormwater to approved treatment or disposal, or to convey uncontaminated stormwater to a storm drain. Evidence of contamination can include the presence of visible sheen, color, or turbidity in the runoff, or existing or historical operational problems at the facility. Simple pH measurements with litmus or pH paper can be used for areas subject to acid or alkaline contamination.
- At petroleum tank farms, convey stormwater contaminated with floating oil or debris in the contained area through an API or CP-type oil/water separator or other approved treatment prior to discharge to storm drain or surface water.

Facility uses a normally closed shutoff valve to contain stormwater within the Tank Farm (see table at start of Section 3.3). Uncontaminated stormwater is discharged from the Tank Farm in a manually operated process only when there is no evidence of contamination or recent leaks or spills.

3.4. Stormwater Peak Runoff and Volume Control BMPs

This section is not applicable as the Facility has not undergone new development or redevelopment (see definitions below) that triggers Flow Control BMPs. In addition, the Chehalis River and Grays Harbor (as a salt water body) are flow control exempt waterbodies according to Appendix I-A. of the 2019 SWMMWW, so even if new development or redevelopment were to occur, stormwater peak runoff and volume control BMPs would not be required.

Definitions:

New Development means land disturbing activities, including Class IV -general forest practices that are conversions from timber land to other uses; structural development, including construction or installation of a building or other structure; creation of impervious surfaces; and subdivision, short subdivision and binding site plans, as defined and applied in Chapter 58.17 RCW. Projects meeting the definition of redevelopment shall not be considered new development.

Redevelopment means on a site that is already substantially developed (i.e., has 35% or more of existing impervious surface coverage), the creation or addition of impervious surfaces; the expansion of a building footprint or addition or replacement of a structure; structural development including construction, installation or expansion of a building or other structure; replacement of impervious surface that is not part of a routine maintenance activity; and land disturbing activities.

3.5. Erosion and Sediment Control BMPs

Refer to Permit Condition (**S3.B.4.b.iv. pg. 20**):

The SWPPP must describe the erosion and sediment control BMPs necessary to prevent off-site sedimentation and violations of water quality standards. The Permittee shall implement and maintain:

- 1) Sediment control BMPs such as detention or retention ponds or traps, vegetated filter strips, bioswales, or other permanent sediment control BMPs to minimize sediment loads in stormwater discharges.
- 2) Filtration BMPs to remove solids from catch basins, sumps or other stormwater collection and conveyance system components (filter socks, modular canisters, sand filtration, centrifugal separators, etc.).

Definition:

Erosion and Sediment Control BMPs means BMPs that are intended to prevent erosion and sedimentation, such as preserving natural vegetation, seeding, mulching and matting, plastic covering, filter fences, and sediment traps and ponds.

The potential for erosion at the facility is limited as the majority of the facility is paved, covered by a building or structure, or gravel.

Section 4. Sampling Plan

1) Discharge Location(s):

Discharge ID	Common description	Discharge Type	Comments
MP002	Catch basin receiving discharge from Tank Farm, Rail Loading Rack, MCB Area, and Nitrogen Area.	Discharge to MS4	
CB01	Catch basin on shared drainage line	Discharge to MS4	
MH01	MH where CB04 and CB14 tie into MS4	Discharge to MS4	
CB03	Catch basin on shared drainage line	Discharge to MS4	
CB05	Catch basin on shared drainage line	Discharge to MS4	
CB06	Catch basin on shared drainage line	Discharge to MS4	
CB07	Catch basin on shared drainage line	Discharge to MS4	
CB08	Catch basin on shared drainage line	Discharge to MS4	
CB09	Last catch basin before shared drainage line	Discharge to MS4	
CB15	Last catch basin before shared drainage line	Discharge to MS4	

2) Sampling Location(s):

Discharge ID	Common description	Latitude (optional)	Longitude (optional)	Discharge Type	Comments
MP002	Catch basin receiving discharge from Tank Farm, Rail Loading Rack, MCB Area, and Nitrogen Area.	46.966938°	-123.854313°	Discharge to MS4	

Note: When identifying sampling locations, follow these permit conditions:

- The Permittee shall designate sampling location(s) at the point(s) where it discharges *stormwater* associated with *industrial activity* off-site.
- The Permittee is not required to sample on-site discharges to ground (e.g., infiltration, etc.) or *sanitary sewer* discharges, unless specifically required by *Ecology* (Condition G12).
- The Permittee shall sample each distinct point of *discharge* off-site except as otherwise exempt from monitoring as a “substantially identical outfall” per S3.B.5.b. The Permittee is required to monitor only one of the “substantially identical outfalls” if two or more outfalls discharge substantially identical effluents (based on similar industrial activities and site conditions).
- The exception to sampling each point of *discharge* in S4.B.2.c does not apply to any point of discharge subject to numeric effluent limitations (Conditions S5.C, S6.C & S6.D).

3) Substantially identical outfall exception (if applicable)

If you plan to use the substantially identical outfall exception for your discharge monitoring per Condition S4.B.2.c, include the following information here to substantiate your claim that these outfalls are substantially identical:

- Location of which discharge points the Permittee does not sample because the pollutant concentrations are substantially identical to a discharge point being sampled:
CB01, MH01, CB03, CB05-CB09, CB15
- Description of general industrial activities conducted in the drainage area of each discharge point:

Discharge ID	Industrial Activities	BMPs	Impervious Surfaces
CB01	None, Vacant Building	No activity	Compacted Gravel
MH01	Truck Traffic	Vacuum Sweeping	Asphalt
CB03	None	No activity	Asphalt and Gravel
CB05	None	No activity	Asphalt and Gravel
CB06	None	No activity	Gravel
CB07	Truck Traffic	Vacuum Sweeping	Asphalt
CB08	Truck Traffic	Vacuum Sweeping	Asphalt
CB09	None	No activity	Gravel
CB15	None	No activity	Asphalt and Gravel

- Description of the Best Management Practices conducted in the drainage area of each discharge point: See table above
 - Description of the exposed materials located in the drainage area of each discharge point that are likely to be significant contributors of pollutants to stormwater discharges: None
 - Description of the *impervious surfaces* in the drainage area that could affect the percolation of stormwater runoff into the ground (e.g., asphalt, crushed rock, grass, etc.): See table above
 - Definitions:
 - Impervious: A surface which cannot be easily penetrated. For instance, rain does not readily penetrate paved surfaces.
 - Impervious surface: A hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.
 - Describe the reasons why you expect the discharge points to discharge substantially identical effluents (e.g., identical stormwater): Discharge points CB01 and CB05-CB08 represent individual catch basins draining to a shared conveyance pipe that is part of the City of Hoquiam's MS4; discharge points MH01 and CB09 represent structures where the short lateral pipes enter that system. There is either no industrial activity (vacant or used areas) or limited industrial activity in these areas. The primary industrial activity at the site is the unloading and storage of methanol, MCB and MDI, which is captured by monitoring location MP002.
- 4) **Staff Responsible for Sampling.** Identify the staff responsible for conducting *stormwater* sampling Terminal Manager or qualified staff designated by the Terminal Manager.

5) **Sample Collection and Handling.** Specify the procedures for sample collection and handling; and for sending samples to the laboratory

Collect at least one sample for each designated location at least once per quarter:

- 1st Quarter = January, February, and March
- 2nd Quarter = April, May, and June
- 3rd Quarter = July, August, and September
- 4th Quarter = October, November, and December

Permittees shall sample the stormwater discharge from the first fall storm event each year. First fall storm event means the first time on or after September 1st of each year that precipitation occurs and results in a stormwater discharge from a facility.

Permittees shall collect samples within the first 12 hours of stormwater discharge events. If it is not possible to collect a sample within the first 12 hours of a stormwater discharge event, the Permittee must collect the sample as soon as practicable after the first 12 hours, and keep documentation with the sampling records (Condition S4.B.3) explaining why they could not collect samples within the first 12 hours; or if it is unknown (e.g., discharge was occurring during start of regular business hours).

The Permittee shall obtain representative samples, which may be a single grab sample, a time-proportional sample, or a flow-proportional sample.

Permittees need not sample outside of regular business hours, during unsafe conditions, or during quarters where there is no discharge, but shall submit a Discharge Monitoring Report each reporting period (Condition S9.A).

These sample collection and handling procedures were developed in accordance with the guidance provided by *Stormwater Sampling Manual: A guide for the Industrial Stormwater General Permit* (Ecology 2015).

Prior to the storm sampling event, call the analytical laboratory and request a sampling kit containing a cooler, ice packs, a chain of custody (COC) form, and all needed sample bottles. Confirm function of turbidimeter and pH meter.

During a storm sampling event, do the following:

A) Locate the following supplies and equipment:

- a. Sample bottles and cooler
- b. Clean sample collection container
- c. Paper towels
- d. Sharpie and ballpoint pens
- e. Blue ice
- f. Nitrile gloves
- g. Sample documentation form – Appendix F
- h. Chain of Custody form – provided by laboratory.

B) Attempt to sample during the first 12 hours of a storm event. If this is not possible, then collect a sample as soon as practicable after the first 12 hours and keep documentation with the sampling records explaining why samples were not collected during the first 12 hours.

C) If using field meters, calibrate pH meter and turbidimeter following manufacturer's instructions. Record the calibration information on the Sample Documentation Form (Appendix F).

Stormwater Pollution Prevention Plan (SWPPP)
BWC Terminals - Grays Harbor Terminal

D) Sample Bottles, Preservatives and Hold Times:

Parameter	Sample Bottle	Preservative	Maximum Hold Time
Turbidity	One 250 mL Poly	None	48 hours
Total Zinc / Total Copper	One 250 mL Poly	HNO3	6 months

Facility may choose whether to measure in the field or analyze in the lab. Sample bottle needed for turbidity is shown in case field measurement of turbidity is not possible, or Facility elects to analyze turbidity in the laboratory instead.

D) Collect the sample:

- a. Open the discharge valve and allow stormwater to run for at least two minutes.
- b. Put on clean gloves.
- c. Triple rinse the sampling container in the stormwater flow.
- d. Fill the sampling container.
- e. Some sample bottles will contain a preservative, do not dump, rinse, or overfill the sample bottle.
- f. Do not touch the mouth or inside of the sample bottles.
- g. Fill the sample bottles as follows:
 - i. Pour water from the sampling container into the sample bottles.
 - ii. Stop filling the bottle when about 1/2-inch of space remains. Do not overfill.
 - iii. Place the cap on the sample bottle.

E) Measure turbidity and pH and observe for oil sheen.

- a. Measure turbidity – Collect water with the sampling container. Measure turbidity with the calibrated turbidimeter following the manufacturer's instructions. Note the turbidity measurement on the Chain of Custody and sample documentation form.
- b. Measure pH –It is okay to use water remaining in the sampling container after the turbidity analysis. Submerge the bulb of the pH meter in the sample and allow the readings to stabilize. Follow manufacturer's instructions for reading pH. Record the measurements on the Chain of Custody and sample documentation form.

If using pH test strips, immerse the strip in the water following manufacturer's instructions. Wait the indicated amount of time and compare the test strip with the color scale provided in the manufacturer's instructions. Note the pH on the COC and sample documentation form.

- c. Observe for oil sheen – Visually observe water in the sample bottle. Note the presence\absence of sheen on the sample documentation form.

G) Dry and label the sample bottles. Use the pre-printed labels provided by the laboratory. Each sample bottle should be labeled with the sample number, date and time of collection, and any preservatives used.

H) Transfer the bottles to a cooler with blue ice and store at approximately 4°C until transferred to the laboratory.

I) Complete the remainder of the sample documentation form.

J) Complete the Chain of Custody (COC) using the laboratory's standard COC form.

K) Submit sample and COC to laboratory within 24 hours of sample collection.

Libby Environmental, Inc.
3322 South Bay Road NE
Olympia, WA 98506
(360) 352-2110
libbyenv@gmail.com

Other Ecology-accredited analytical laboratories also may be used for analyzing samples.

L) Request a new set of sample bottles when dropping off the current sample.

- 6) **Submitting Sample Results to Ecology.** Specify the procedures for submitting Discharge Monitoring Reports (DMRs) to Ecology.

NOTE: The following excerpt from Permit Condition S9 may be retained to satisfy this requirement:

- The Permittee shall submit sampling data obtained during each reporting period on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by *Ecology*.
- The Permittee shall submit sampling results within 45 days of the end of each reporting period.
- The first reporting period shall begin on the effective date of permit coverage.
- Upon permit coverage, the Permittee shall ensure that DMRs are postmarked or received by *Ecology* by the DMR Due Dates below:

Reporting Dates and DMR Due Dates

Reporting Period	Months	DMR Due Date
1 st	January-March	May 15
2 nd	April-June	August 15
3 rd	July-Sept	November 15
4 th	October-December	February 15

- DMRs shall be submitted using *Ecology's* WebDMR system.
- Upon permit coverage, the Permittee shall submit a DMR each reporting period, whether or not the *facility* has discharged *stormwater* from the site.
- If discharge(s) occurred during normal working hours, and during safe conditions; but no sample was collected during the entire quarter, the Permittee shall submit a DMR form indicating "no sample obtained". If no discharge(s) occurred during the entire quarter or the discharges during the quarter occurred outside normal working hours or during unsafe conditions, the Permittee shall submit a DMR indicating "no discharge".

- If a Permittee has suspended sampling for a parameter due to consistent attainment, the Permittee shall submit a DMR and indicate that it has achieved Consistent Attainment for that parameter(s).
- Permittees monitoring more than once per quarter shall average all of the monitoring results for each parameter (except pH and visible oil sheen) and compare the average value to the benchmark value. However, if Permittees collect more than one sample during a 24-hour period, they must first calculate the daily average of the individual grab sample results collected during that 24-hour period; then use the daily average to calculate a quarterly average.

7) **Sampling Parameters.** Identify parameters for analysis, holding times and preservatives, laboratory *quantitation levels*, and analytical methods. Table 6 lists the parameters that apply to all facilities

Table 6. Benchmarks and Sampling Requirements Applicable to All Facilities

Parameter	Units	Benchmark Value	Analytical Method	Laboratory Quantitation Level ^a	Minimum Sampling Frequency ^b
Turbidity	NTU	25	EPA 180.1 Meter	0.5	1/quarter
pH	Standard Units	Between 5.0 and 9.0	Meter/Paper ^c	±0.5	1/quarter
Oil Sheen	Yes/No	No Visible Oil Sheen	N/A	N/A	1/quarter
Copper, Total	µg/L	Western WA: 14	EPA 200.8	2.0	1/quarter
Zinc, Total	µg/L	117	EPA 200.8	2.5	1/quarter

^a The Permittee shall ensure laboratory results comply with the *quantitation level* specified in the table. However, if a Permittee knows that an alternate, less sensitive method (higher detection level and *quantitation level*) from 40 CFR Part 136 is sufficient to produce measurable results in its effluent, it may use that method for analysis.

^b 1/quarter means 1 sample taken each quarter, year-round.

^c Permittees shall use either a calibrated pH meter or narrow-range pH indicator paper with a resolution not greater than ± 0.5 SU.

No industry-specific benchmarks or sampling requirements are applicable to this facility.

Section 5. SWPPP Certification

Instructions:

- A SWPPP certification form needs to be completed and attached to all SWPPPs.
- The SWPPP Certification Form is available in ISWGP Appendix 3 (pg. 59) or Appendix D of this SWPPP template.
- Sign and certify that the Stormwater Pollution Prevention Plan (SWPPP) is complete, accurate and in compliance with Conditions S3, S8, and G2 of the Industrial Stormwater General Permit.
- Each time a Level 1, 2, or 3 Corrective Action is required, this form needs to be re-signed and re-certified by the Permittee, and attached to the SWPPP.

SWPPP CERTIFICATION FORM

The Permittee shall use this form to sign and certify that the Stormwater Pollution Prevention Plan (SWPPP) is complete, accurate and in compliance with Conditions S3 and S8 of the Industrial Stormwater General Permit.

- A SWPPP certification form needs to be completed and attached to all SWPPPs.
- Each time a Level 1, 2, or 3 Corrective Action is required, this form needs to be re-signed and re-certified by the Permittee, and attached to the SWPPP.

Is this SWPPP certification in response to a Level 1, 2 or 3 Corrective Action? ☐ Yes ☒ No

If **Yes**: Type of Corrective Action?: ☐ Level 1 ☐ Level 2 ☐ Level 3*

Date SWPPP update/revision completed:

Briefly describe SWPPP Update (use backside, if necessary):

CORRECTING ERROR ON SURFACES AND CATCH BASIN NUMBERING

***Note:** For Level 3 Corrective Actions, a *Qualified Industrial Stormwater Professional* must review the revised SWPPP, and sign and certify below, in accordance with Condition S8.D.2.:

"The Permittee has made appropriate revisions to the SWPPP to include additional Treatment BMPs with the goal of achieving the applicable benchmark value(s) in future discharges. Based on my review of the SWPPP, discharges from the facility are reasonably expected to meet the ISGP benchmarks upon implementation."

STEVEN WILLIAMS
Qualified Industrial Stormwater Professional's Printed Name

Title

TERMINAL MANAGER

[Signature]
Qualified Industrial Stormwater Professional's Signature

Date

10/5/22

"I certify under penalty of law that this SWPPP and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate information to determine compliance with the Industrial Stormwater General Permit. Based on my inquiry of the person or persons who are responsible for stormwater management at my facility, this SWPPP is, to the best of my knowledge and belief, true, accurate, and complete, and in full compliance with Permit Conditions S3 and S8, including the correct Best Management Practices from the applicable Stormwater Management Manual. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

STEVEN WILLIAMS
Operator's Printed Name *

Title

TERMINAL MANAGER

[Signature]
Operator's Signature *

Date

10/5/22

* Federal regulations require this document to be signed in accordance with Condition G2.

Tables

- 1 Aboveground Storage Tanks
- 2 Inventory of Potential Pollutant Sources
- 3 Good Housekeeping and Preventive Maintenance BMPs
- 4 Spill Prevention and Response BMPs
- 5 Erosion and Sediment Control BMPs
- 6 Stormwater Runoff Management BMPs

TABLE 1. ABOVEGROUND STORAGE TANKS

Tank #	Product	Capacity	
		Gallons	Barrels
78001	Methylene diphenyl diisocyanate (MDI)	3,268,860	77,830
78002	Methanol	3,384,115	80,574
78003	Methanol	3,384,115	80,574
78004	Methanol	3,384,115	80,574

TABLE 2. INVENTORY OF POTENTIAL POLLUTANT SOURCES

Source Area	Possible Exposed Material	Associated Pollutants
Materials loading and unloading Aboveground storage tanks Pumping and valve equipment	Methanol	Biological Oxygen Demand (BOD ₅) Oil and Grease Total Organic Carbon (TOC) Nitrates – Nitrites Phosphorus Sulfates and Sulfites Total Kjeldahl Nitrogen (TKN) Chemical Oxygen Demand (COD) Chlorides
Materials and Storage Waste	Waste Oil Scrap Metals Scrap Wood	Oil and Grease Metals
Maintenance Operations <i>Note: Painting and sandblasting activities occur very infrequently.</i>	Sandblast Materials Paints Thinners	COD Volatile Organic Compounds (VOCs) TOC
Vehicle Traffic Areas	Vehicle Fluids, Tires, Brake Dust	Copper (brake pads) Zinc & Solids (tire wear particles) Petroleum products Other vehicle fluids

TABLE 2

GOOD HOUSEKEEPING AND PREVENTIVE MAINTENANCE BMPs

Area to Apply BMP	BMP No.	Description	Date by Which to Implement
ALL SOURCE AREAS	GH-1	Periodically pickup loose materials and trash.	Existing
	GH-2	Maintain ponds, tanks/vaults, catch basins, swales, filters, oil/water separators, drains, and other storm water drainage/treatment facilities in accordance with the Maintenance Standards detailed in S3.B.b.i.3.b of the Permit.	Existing
	GH-3	Immediately clean up spills and leaks (i.e. using absorbents, vacuuming, etc.) to prevent the discharge of pollutants into storm water.	Existing
TANKAGE AND PUMPING EQUIPMENT	GH-4	Inspect and clean pump pits, storm drain catch basins, and other points of water detention during routine inspections and other times deemed necessary. Such areas are to be cleaned when the depth of debris reaches 60% of available capacity. Debris must be kept to at least 6 inches below the outlet pipe of such areas.	Existing
	GH-5	Regularly inspect and repair grading, berming, curbing and containment devices for leaks. Periodically inspect tanks for leaks.	Existing
	GH-6	Use drip pans or absorbent pads beneath leaking equipment; empty pans or replace pads on a weekly basis or as necessary.	Existing
	GH-7	Repair or replace leaking vales and pumping equipment.	Existing
	GH-8	When changing filters on equipment, place waste receptacle adjacent to the equipment so leakage does not occur.	Existing

TABLE 2. GOOD HOUSEKEEPING AND PREVENTIVE MAINTENANCE BMPs (CONT.)

Area to Apply BMP	BMP No.	Description	Date by Which to Implement
MATERIALS AND WASTE STORAGE	GH-9	When storing materials outdoors, use waterproof, leak proof, closed containers such as DOT approved shipping drums. Label containers with contents and appropriate storage and handling instructions.	Existing
	GH-10	Remove and dispose of old, unused, unserviceable drums and storage containers.	Existing
	GH-11	Store drums on pallets if stored outside.	Existing
MATERIALS LOADING AND UNLOADING AREAS	GH-12	Provide signage at these locations instructing truck drivers of the proper procedures when spills or leaks occur.	Existing
	GH-13	Provide drip pans or other appropriate containment when loading or unloading materials under trucks for containment of small spills and leaks.	Existing
	GH-14	Provide drip pans and buckets at the end of transfer hose to catch minor drippage from hoses during normal operations.	Existing
MAINTENANCE OPERATIONS	GH-15	During painting or sandblasting operations, containment of sandblasting or other materials or wastes will be implemented. Protect storm water inlets. Painting will not be performed on windy days.	Use when necessary
	GH-16	Identify and control all on-site sources of dust to minimize storm water contamination from the deposition of dust on areas exposed to precipitation.	Use when necessary
	GH-17	Any other large maintenance operation will be performed in such a way as to limit discharges into storm water conveyances.	Use when necessary

TABLE 2. GOOD HOUSEKEEPING AND PREVENTIVE MAINTENANCE BMPs (CONT.)

Area to Apply BMP	BMP No.	Description	Date by Which to Implement
	GH-18	Inspect all equipment and vehicles during monthly site inspections for leaking fluids such as oil, antifreeze, etc. Leaking equipment and vehicles are to be removed from service or efforts initiated to prevent leaks from spilling onto the ground until repaired.	Existing
	GH-19	Dry sweep all mix room and boiler house floors. Steam clean stains if condensate can be contained.	Existing
	GH-20	Perform all cleaning operations indoors, under cover, or in a containment area to prevent storm water runoff and run-on, and to capture any overspray.	Existing
MISCELLANEOUS	GH-21	Vacuum paved surfaces with a vacuum sweeper (or a sweeper with a vacuum attachment) to remove accumulated pollutants a minimum of once per quarter.	Existing
	GH-22	All dumpsters are maintained under cover or fit with a lid that is closed when not in use.	Existing
	GH-23	Ensure that all wash water drains to a collection system that directs the wash water to further treatment or storage and not into the storm water drainage system.	Existing
		Reserved for additional BMPs that are special to this facility. Number them GH-24 through GH-n, where n is the last in the series.	

TABLE 3. SPILL PREVENTION AND RESPONSE BMPs

Area to Apply BMP	BMP No.	Description	Date by Which to Implement
ALL	SP-1	USCG Operations Manual	Existing
	SP-2	Keep adsorbents and spill cleanup materials readily available (within 25 feet of a product transfer station) for control of small leaks and spills. Use dry cleanup methods, materials, and devices, where possible, when spills occur. There are six spill kits within the Facility: 2 at the Truck Rack, 2 at the Rail Rack, 1 at the Tank Farm pumps, 1 at the Dock for Marine transfers.	Existing
	SP-3	Use temporary diversion devices or structures to divert spills from storm water drains and inlets when spills occur.	Existing
	SP-4	Capture and properly dispose of spilled materials.	Existing
	SP-5	Maintain a spill log for spill events that includes: date, time, amount, location and reason for spill; date/time cleanup was completed; and notifications made, and staff involved.	Existing
	SP-6	Use drip pans and absorbents under or around leaky vehicles and equipment, or store indoors where feasible. Drain fluids from equipment and vehicles prior to on-site storage or disposal.	Existing
TANKAGE AND PUMPING EQUIPMENT	SP-7	All chemicals, fluids, oils, hazardous materials, etc. to be stored on an impervious surface that is surrounded with a containment dike wall capable of containing 10% of the total enclosed tank volume or 110% of the volume contained in the largest tank, whichever is greater.	Existing

TABLE 3. SPILL PREVENTION AND RESPONSE BMPs (CONT.)

Area to Apply BMP	BMP No.	Description	Date by Which to Implement
	SP-8	Prevent precipitation from accumulating in containment areas with a roof or equivalent structure or include a plan on how precipitation will be managed and dispose of accumulated water if a containment area is not practical.	Existing
	SP-10	Test pH of storm water in tank containment areas and neutralize, if necessary, prior to discharge.	Existing
LOADING AND UNLOADING AREAS	SP-11	Regularly inspect and repair curbing and containment devices for leaks. Periodically inspect tanks for leaks.	Existing
	SP-12	Use drip pans or equivalent containment measures during all oil transfer operations.	Existing
	SP-13	Piping for the transfer of product discharges into the top of the holding tanks. A line rupture during unloading would result in only the line contents being discharged.	Existing
MISCELLANEOUS	SP-14	Employ oil/water separators, booms, skimmers, or other methods to eliminate or minimize oil and grease contamination of storm water discharges.	Use when necessary
		Reserved for additional BMPs that are special to this facility. Number them SP-15 through SP-n, where n is the last in the series.	

TABLE 4. EROSION AND SEDIMENT CONTROL BMPs

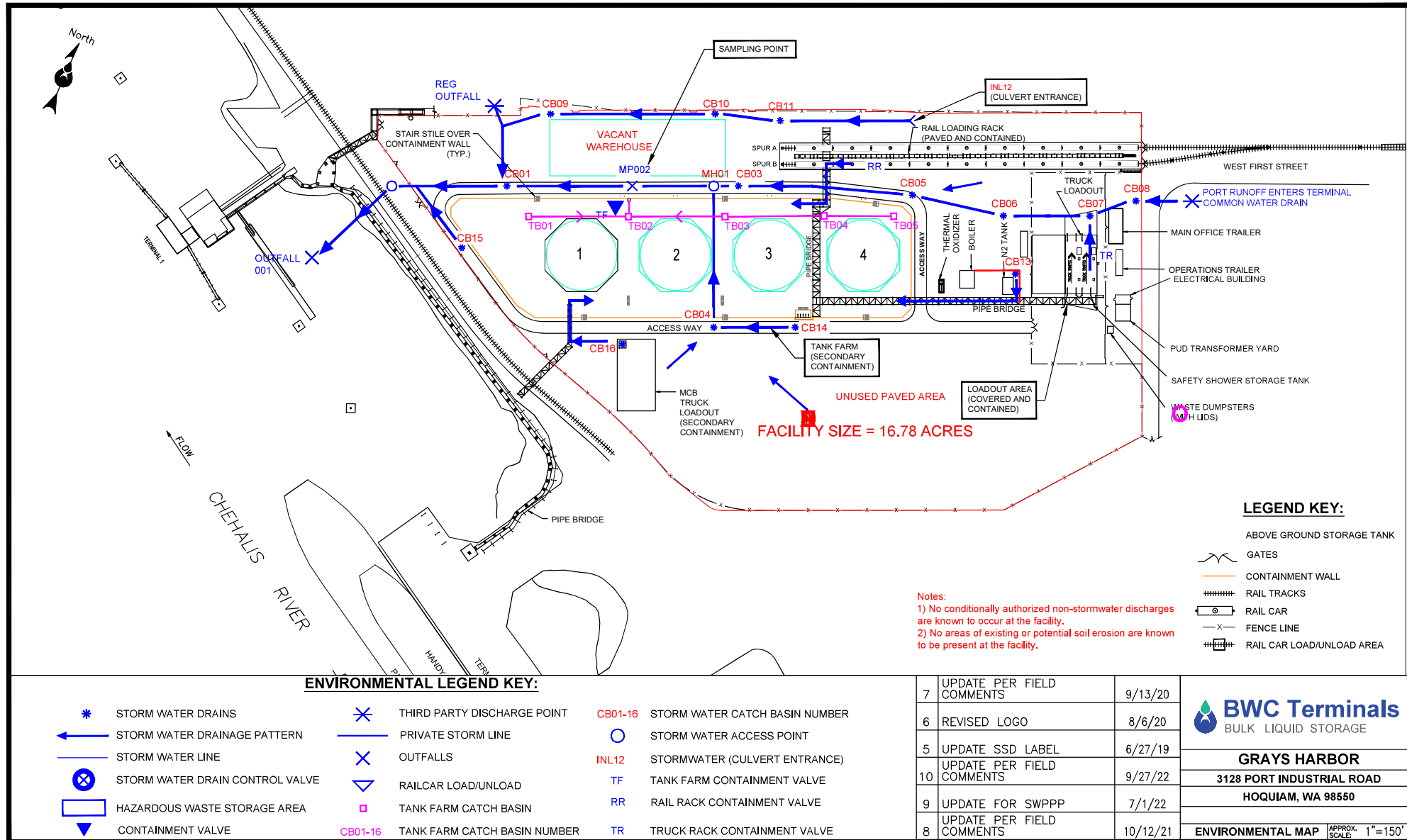
Area to Apply BMP	BMP No.	Description	Date by Which to Implement
ALL SOURCE AREAS	SE-1	Select sediment control such as detention or retention ponds or traps, vegetated filter strips, bioswales, or other permanent sediment control BMPs to minimize sediment loads in storm water dischargers.	Use when necessary
	SE-2	Select and use as appropriate filtration BMPs to remove solids from catch basins, sumps, or other storm water collection and conveyance system components (i.e. catch basin filter inserts, filter socks, modular canisters, sand filtration, centrifugal separators, etc.).	Use when necessary
	SE-3	Ensure that any future construction obtains necessary storm water discharge permits and permit is complied with.	Use when necessary
	SE-4	In small construction areas, control erosion using straw bales, coverings over dirt piles, and reduced run-on and runoff.	Use when necessary
	SE-5	Use temporary berms around construction areas.	Use when necessary
	SE-6	Observe areas of drainage around inlets, during site investigations. HSEQ Department to decide actions to eliminate or prevent the occurrence of erosion.	Use when necessary
		Reserved for additional BMPs that are special to this facility. Number them SE-7 through SE-n, where n is the last of the series.	

TABLE 5. STORMWATER RUNOFF MANAGEMENT BMPs

Area to Apply BMP	BMP No.	Description	Date by Which to Implement
ALL SOURCE AREAS	SM-1	Inspect, maintain, and upgrade existing storm water collection system as necessary for effective control.	Existing
	SM-2	Obtain Department of Ecology approval before beginning construction or installation of all treatment BMPs that include the addition of chemicals to provide treatment.	Use when necessary
	SM-3	During new development or redevelopment, the Facility or its designee will evaluate whether flow control BMPs are necessary to satisfy the state's AKART requirements and prevent violations of water quality standards.	Use when necessary
Tankage	SM-4	Provide containment around all tanks containing water priority chemical or other toxic or hazardous materials.	Existing
Loading or Unloading Areas	SM-5	Provide containment or inlet controls in the areas where water priority chemicals or other toxic or hazardous materials are handled.	Existing
Combined Facility Discharge	SM-6	Pump Rail Rack storm water to Tank Farm to create single industrial discharge.	
		Reserved for additional BMPs that are special to this facility. Number them SM-6 through SM-n, where n is the last in the series.	

Figures

- 1 Site Vicinity Map
- 2 SWPPP Site Map



SWPPP Appendices

Attach the following documentation to the SWPPP:

Appendix A – 2020 Industrial Stormwater General Permit

Appendix B – Monthly Inspections

Appendix C – Sampling Records

Appendix D – Blank Forms

Appendix A. 2020 Industrial Stormwater General Permit

Errata

For the Industrial Stormwater General Permit Issued on November 20, 2019 and effective on January 1, 2020.

November 25, 2019

Ecology corrected S6.C.2. Footnote 6. Footnote 6 defines the Puget Sound Sediment Cleanup Sites. Ecology has added Oakland Bay/Shelton Harbor to the list.

⁶ ***Puget Sound Sediment Cleanup Site*** means: Category 4B (Sediment) portions of Budd Inlet (Inner), Commencement Bay (Inner), Commencement Bay (Outer), Dalco Passage and East Passage, Duwamish Waterway (including East and West Waterway), Eagle Harbor, Elliot Bay, Hood Canal (North), Liberty Bay, Rosario Strait, Sinclair Inlet, and Thea Foss Waterway; Category 5 (Sediment) portions of the Duwamish Waterway; Category 4A (Sediment) portions of Bellingham Bay (Inner); and the Everett/Port Gardner, [Oakland Bay/Shelton Harbor](#), and Port Angeles Harbor sediment cleanup areas, as mapped on Ecology's ISGP website. All references to Category 4A, 4B and 5 pertain to the 2012 EPA-approved Water Quality Assessment.

December 17, 2019

Ecology corrected two typos in Table 3. The changes are marked with underlined blue text and strikethrough red text. The two typos were leaving off the NAICS code 113310 in the Wood Product Manufacturing category and transposing two numbers on the Construction, Transportation, Mining, and Forestry Machinery and Equipment Rental and Leasing category.

Table 1: Additional Benchmarks and Sampling Requirements Applicable to Specific Industries (screenshot of changes in table)

Petroleum Hydrocarbons (Diesel Fraction)	mg/L	10	NWTPH-D x	0.25	1/quarter
5. Timber Product Industry (321xxx), Paper and Allied Products (322xxx), Wood Product Manufacturing (321xxx, <u>113310</u>)					
COD	mg/L	120	SM5220-D	10	1/quarter
TSS	mg/L	100	SM2540-D	5	1/quarter
6. Transportation (482xxx-485xxx), Petroleum Bulk Stations and Terminals (4247xx), Transportation Equipment Manufacturing (336xxx), Construction, Transportation, Mining, and Forestry Machinery and Equipment Rental and Leasing (53424<u>53241x</u>)					
Petroleum Hydrocarbons (Diesel Fraction)	mg/L	10	NWTPH-D x	0.25	1/quarter
7. Coal Mining (2121xx), Oil and Gas Extraction (2111xx), Nonmetallic Mining and Quarrying, except Fuels (2123xx), Petroleum and Coal Products Manufacturing (324xxx), Nonmetallic Mineral Product Manufacturing (327xxx), Steam Electric					

January 27, 2020

Ecology corrected additional typos in Table 3. The changes are marked with underlined blue text. The typos were leaving off NAICS codes 488210, 4883xx, and 488490 in the transportation category.

Table 2: Additional Benchmarks and Sampling Requirements Applicable to Specific Industries (screenshot of changes in table)

TSS	mg/L	100	SM2540-D	5	1/quarter
6. Transportation (482xxx-485xxx, <u>488210</u>, <u>4883xx</u>, <u>488490</u>), Petroleum Bulk Stations and Terminals (4247xx), Transportation Equipment Manufacturing (336xxx), Construction, Transportation, Mining, and Forestry Machinery and Equipment Rental and Leasing (53241X)					
Petroleum Hydrocarbons (Diesel Fraction)	mg/L	10	NWTPH-Dx	0.25	1/quarter
7. Coal Mining (2121xx), Oil and Gas Extraction (2111xx), Nonmetallic Mining and Quarrying, except Fuels (2123xx),					

Issuance Date: November 20, 2019
Effective Date: January 1, 2020
Expiration Date: December 31, 2024

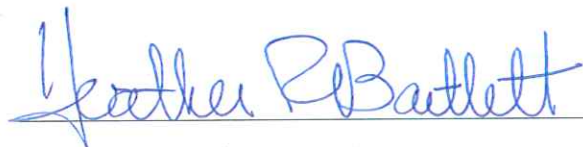
INDUSTRIAL STORMWATER GENERAL PERMIT

A National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General
Permit for Stormwater Discharges Associated With
Industrial Activities

State of Washington
Department of Ecology
Olympia, Washington 98504-7600

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified or revoked, Permittees that have properly obtained
coverage under this general permit are authorized to discharge in accordance with the special
and general conditions which follow.

A handwritten signature in blue ink, reading "Heather R. Bartlett", is written over a horizontal line.

Heather R. Bartlett
Water Quality Program Manager
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORTS & SUBMITTALS

Permit Section	Submittal	Frequency	Due Date(s)
S1.F	Conditional "No Exposure" Certification (CNE) Form	As necessary	As necessary, with renewals every 5 years
S2.A	Application for Permit Coverage	As necessary	As necessary
S2.B	Request Modification of Permit Coverage	As necessary	As necessary
S2.D	Request Transfer of Coverage	As necessary	As necessary
S8.D	Level 3 Engineering Report	As necessary	May 15 th , prior to Level 3 deadline ¹
S8.D	Level 3 O&M Manual	As necessary	30 days after Level 3 installation
S9.B	Discharge Monitoring Reports (DMRs)	1/quarter	February 15 th May 15 th August 15 th November 15 th
S9.C	Annual Report	1/year	May 15 th
S9.D	SWPPP, if requested by Ecology	Per Ecology request	Within 14 days of request
S9.F	Noncompliance Notification	As necessary	Within 30 days of noncompliance event
G8	Duty to Reapply	1/permit cycle	July 3, 2024

The text of this permit contains words or phrases in ***bold and italics***. These words or phrases are the first usage in the permit and are defined in [Appendix 2](#).

¹ Unless an alternate due date is specified in an order

SUMMARY OF REQUIRED ONSITE DOCUMENTATION²

Permit Condition(s)	Document Title
S3	Stormwater Pollution Prevention Plan (SWPPP) ³
S9.C	Copies of Annual Reports
S9.D.1.a	Copy of Permit
S9.D.1.b	Copy of Permit Coverage Letter
S9.D.1.c	Original Sampling Records (Field Notes and Laboratory Reports)
S7.C & S9.D.1.d	Site Inspection Reports
S9.D.1.j	Copies of Discharge Monitoring Reports (DMRs)

² A complete list is contained in Condition S9.D. The Permittee shall make all plans, documents and records required by this permit immediately available to Ecology or the local jurisdiction upon request.

³ With signed and completed SWPPP Certification Form(s) – see [Appendix 3](#)

SPECIAL CONDITIONS

S1. PERMIT COVERAGE

A. Facilities Required to Seek Coverage Under This General Permit

This statewide permit applies to **facilities** conducting **industrial activities** that discharge **stormwater** to a surface waterbody or to a **storm sewer** system that drains to a surface waterbody. Beginning on the effective date of this permit and lasting through its expiration date, the Permittee is authorized to discharge stormwater and conditionally approved non-stormwater **discharges to waters of the State**. All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit.

The permit requires coverage for private entities, state, and **local government** facilities, and includes **existing facilities** and **new facilities**. Facilities conducting industrial activities listed in Table 1 or referenced in S1.A.3 shall apply for coverage under this permit or apply for a Conditional No Exposure exemption, if eligible (Condition S1.F). The **Department of Ecology (Ecology)** may also require permit coverage for any facility on a case-by-case basis in order to protect waters of the State (Condition S1.B).

1. Facilities engaged in any industrial activities in Table 1 shall apply for coverage if stormwater from the facility discharges to a surface waterbody, or to a storm sewer system that discharges to a surface waterbody. The **North American Industry Classification System (NAICS)** groups generally, but not always, associated with these activities are listed in Table 1.

Table 1: Activities Requiring Permit Coverage and the Associated NAICS Groups

Industrial Activities	NAICS Groups
Metal Ore Mining	2122xx
Coal Mining	2121xx
Oil and Gas Extraction	2111xx
Nonmetallic Mineral Mining and Quarrying, except Fuels (except facilities covered under the Sand and Gravel General Permit)	2123xx
Food, Beverage, and Tobacco Manufacturing	311xxx-312xxx
Textile and Textile Products Mills	313xxx-314xxx
Apparel Manufacturing	315xxx
Wood Products Manufacturing	321xxx, 113310 ^a
Furniture and Related Product Manufacturing	337xxx
Paper Manufacturing	322xxx
Printing and Related Support Activities	323xxx, 5111xx

Industrial Activities	NAICS Groups
Chemicals Manufacturing (including Compost Facilities)	325xxx
Petroleum and Coal Products Manufacturing (except facilities covered under the Sand and Gravel General Permit)	324xxx
Plastics and Rubber Products Manufacturing	326xxx
Leather and Allied Product Manufacturing	316xxx
Nonmetallic Mineral Product Manufacturing (except covered under the Sand and Gravel General Permit)	327xxx
Primary Metal Manufacturing	331xxx
Fabricated Metal Product Manufacturing	332xxx
Machinery Manufacturing	333xxx
Computer and Electronic Product Manufacturing	334xxx
Electrical Equipment, Appliance, and Component Manufacturing	335xxx
Transportation Equipment Manufacturing (except NPDES regulated boatyards)	336xxx
Miscellaneous Manufacturing	339xxx
Warehousing and Storage	493xxx, 531130
Recycling facilities involved in the recycling of materials, including but not limited to, metal scrap yards, battery reclaimers, salvage yards, auto recyclers, and automobile junkyards.	42314x and 42393x
Steam Electric Power Generation (Not covered under 40 CFR § 423)	N/A
Waste Management and Remediation Services, including, but not limited to, landfills, transfer stations, open dumps, and land application sites, except as described in S1.C.6 or C.7.	562xxx
Hazardous waste treatment, storage, and disposal (TSD) facilities, and recycling facilities regulated under Chapter 173-303 WAC.	562211
Treatment works treating domestic sewage, or any other sewage sludge, or wastewater treatment device or system, used in the storage, recycling, and reclamation of municipal or domestic sewage (including land dedicated to the disposal of sewage sludge that are located within the confines of the facility) with the design flow capacity of 1 million gallons per day (MGD) or more, or required to have a pretreatment program under 40 CFR §403.	22132x
Transportation facilities which have vehicle maintenance activity, equipment cleaning operations, or airport deicing operations: <ul style="list-style-type: none"> Railroad Transportation Transit and Ground Passenger Transportation Truck Transportation Postal Service 	
	482xxx, 488210
	485xxx, 488490, 487110
	484xxx
	491xxx

Industrial Activities	NAICS Groups
• Water Transportation	483xxx, 487210, 4883xx, 532411
• Air Transportation	481xxx, 487990
• Petroleum Bulk Stations and Terminals	4247xx
Construction, Transportation, Mining, and Forestry Machinery and Equipment Rental and Leasing	53241x
Marine Construction	ECY003

^a Facilities in this category that are rock crushing, gravel washing, log sorting, or log storage facilities operated in connection with silvicultural activities defined in 40 CFR 122.27(b)(2)-(3) are considered industrial activity. This does not include the actual harvesting of timber.

- Any facility that has an existing **National Pollutant Discharge Elimination System (NPDES)** permit which does not address all stormwater discharges associated with industrial activity [40 CFR §122.26(b)(14)] shall obtain permit coverage.
- Any **inactive facility** which is listed under **40 CFR** §122.26(b)(14) where **significant materials** remain onsite and are exposed to stormwater shall obtain permit coverage.

B. Significant Contributors of Pollutants

Ecology may require a facility to obtain coverage under this permit if Ecology determines the facility:

- Is a **significant contributor of pollutants** to waters of the State, including **groundwater**;
- May reasonably be expected to cause a violation of any **water quality standard**; or
- Conducts industrial activity, or has a NAICS code, with stormwater characteristics similar to any industrial activity or NAICS code listed in [Table 1](#) in S1.A.1.

C. Facilities Not Required to Obtain Coverage

Ecology does not require the types of facilities listed below to obtain coverage under this permit, unless determined to be a significant contributor of pollutants.

- Industrial facilities that submit an **application** and qualify for a Conditional “No Exposure” Exemption. (Condition S1.F)
- Industrial facilities that discharge stormwater only to a municipal **combined sewer** or **sanitary sewer**. Discharge of stormwater to sanitary or combined sewers shall only occur as authorized by the municipal sewage authority.
- Industrial facilities that discharge stormwater only to groundwater (e.g., on-site infiltration) with no discharge to **surface waters of the State** under any condition, provided the facility doesn’t meet the requirements of S1.B.1.
- Office buildings and/or administrative parking lots from which stormwater does not commingle with stormwater from areas associated with industrial activity.

5. Any discharge that is in compliance with the instructions of an on-scene-coordinator pursuant to 40 CFR § 300 (The National Oil and Hazardous Substances Pollution Contingency Plan) or 33 CFR § 153.10(e) (Pollution by Oil and Hazardous Substances), in accordance with 40 CFR § 122.3(d).
6. Any **land application site** used for the beneficial use of industrial or municipal wastewater for agricultural activities or when applied for landscaping purposes at agronomic rates.
7. Any farmland, domestic garden, or land used for sludge management where domestic sewage sludge (biosolids) is beneficially reused (nutrient builder or soil conditioner) and which is not physically located in the confines of domestic sewage treatment works, or areas that are in compliance with Section 405 (Disposal of Sewage Sludge) of the **Clean Water Act (CWA)**.
8. Any inactive coal mining operation if:
 - a. The performance bond issued to the facility by the appropriate Surface Mining Control and Reclamation Act (SMCRA) authority has been released from applicable state or federal reclamation requirements after December 17, 1990.
 - b. The mine does not have a discharge of stormwater that comes in contact with any overburden, raw material, intermediate products, finished products, byproducts, or waste products located on the site of the facility.
9. Closed **landfills** that are capped and stabilized, in compliance with Chapter 173-304 WAC, and in which no significant materials or industrial **pollutants** remain exposed to stormwater. Permittee's with existing coverage may submit a **Notice of Termination** in accordance with Special Condition S13.A.1.

D. Facilities Excluded from Coverage

Ecology will not cover the following facilities or activities under this permit:

1. If any part of a facility, in the categories listed below, has a stormwater discharge subject to stormwater Effluent Limitations Guidelines, New Source Performance Standards (NSPS) Under 40 CFR subchapter N, or Toxic Pollutant Effluent Standards under 40 CFR subchapter D §129; the operator of the facility must apply for an individual NPDES permit or seek coverage under an industry-specific **general permit** for those stormwater discharges.

Below is a list of categories of industries specified in 40 CFR subchapter N for which at least one subpart includes stormwater effluent limitations guidelines or NSPS. Industries included in this list should review the [subchapter N guidelines](#) to determine if they are subject to a stormwater effluent limitation guideline for activities which they perform at their site.

40 CFR 411 Cement manufacturing	40 CFR 423 Steam electric power generating
40 CFR 412 Feedlots	40 CFR 434 Coal mining
40 CFR 418 Fertilizer manufacturing	40 CFR 436 Mineral mining and processing
40 CFR 419 Petroleum refining	40 CFR 440 Ore mining and dressing
40 CFR 422 Phosphate manufacturing	40 CFR 443 Paving and roofing materials (tars & asphalt)
40 CFR 449.11(a) Airports with more than 10,000 annual jet departures	

Facilities, which are subject to effluent standards in 40 CFR subchapter D §129: Aldrin/Dieldrin; DDT; Endrin; Toxaphene; Benzidine; or Polychlorinated Biphenyls (PCBs), shall apply for an individual NPDES permit.

2. Nonpoint source silvicultural activities with natural **runoff** that are excluded in 40 CFR §122.27.
3. Industrial activities operated by any department, agency, or instrumentality of the executive, legislative, and judicial branches of the Federal Government of the United States, or another entity, such as a private contractor, performing industrial activity for any such department, agency, or instrumentality.
4. Facilities located on “Indian Country” as defined in 18 USC §1151, except portions of the Puyallup Reservation as noted below.

Indian Country includes:

- a. All land within any Indian Reservation notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation. This includes all federal, tribal, and Indian and non-Indian privately owned land within the reservation.
- b. All off-reservation Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.
- c. All off-reservation federal trust lands held for Native American Tribes.

Puyallup Exception: Following the “Puyallup Tribes of Indians Land Settlement Act of 1989,” 25 USC §1773; the permit does apply to land within the Puyallup Reservation except for discharges to surface water on land held in trust by the federal government.

5. Any facility authorized to discharge stormwater associated with industrial activity under an existing NPDES individual or other general permit.
6. All **construction activities**. Operators of these construction activities shall seek coverage under the Construction Stormwater General Permit or an individual NPDES permit for stormwater associated with construction activity.
7. Facilities that discharge to a waterbody with a **control plan**, unless this general permit adequately provides the level of protection required by the control plan.
8. **New dischargers** to a waterbody listed pursuant to Section 303(d) of the CWA, unless the Permittee meets the requirements of Condition S6.B.
9. Hazardous waste landfills subject to 40 CFR §445, subpart A.

E. Discharges to Ground

1. For sites with a **discharge point** to groundwater the terms and conditions of this permit shall apply. However, permittees are not required to sample on-site discharges to ground (e.g., infiltration), unless specifically required by Ecology (Condition G12).

2. Facilities with a discharge point to groundwater through an ***Underground Injection Control well*** shall comply with any applicable requirements of the Underground Injection Control (UIC) regulations, [Chapter 173-218 WAC](#).

F. Conditional "No Exposure" Exemption

1. A facility engaged in industrial activity may qualify for a Conditional "No Exposure" Exemption (CNE) if there is no exposure of industrial materials and activities to rain, snow, snow melt, and/or runoff.

Industrial materials and activities include, but are not limited to, ***material handling*** equipment or activities, industrial machinery, raw materials, intermediate products, by-products, and final products, or waste products.

Material handling activities include storage, loading and unloading, transport, or conveyance of any raw materials, intermediate product, by-product, final products, or waste products.

2. To determine if you qualify for a CNE, eleven questions must be answered and certified that none of the following materials or activities are, or will be in foreseeable future, exposed to precipitation [Industrial Stormwater General Permit webpage](#):
 - A. Is anyone using, storing or cleaning industrial machinery or equipment in an area that is exposed to stormwater, or are there areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to stormwater?
 - B. Are there materials or residuals on the ground or in stormwater inlets from spills/leaks?
 - C. Are materials or products from past industrial activity exposed to precipitation?
 - D. Is material handling equipment used/stored (except adequately maintained vehicles)?
 - E. Are materials or products exposed to precipitation during loading/unloading or transporting activities?
 - F. Are materials or products stored outdoors (except final products intended for outside use, e.g., new cars, where exposure to storm water does not result in the discharge of pollutants)?
 - G. Are materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers?
 - H. Are materials or products handled/stored on roads or railways owned or maintained by the discharger?
 - I. Is waste material exposed to precipitation (except waste in covered, non-leaking containers, e.g., dumpsters)?
 - J. Does the application or disposal of process wastewater occur (unless otherwise permitted)?
 - K. Is there particulate matter or visible deposits of residuals from roof stacks/vents not otherwise regulated, i.e., under an air quality control permit, and evident in the storm water outflow?

3. To apply for an exemption, an electronic application must be submitted to Ecology's Water Quality Permitting Portal (WQWebPortal). The WQWebPortal can be accessed at <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance>.
 - a. A Permittee is automatically granted a No Exposure exemption 90 days from Ecology's receipt of a complete and accurate No Exposure Certification Form, unless Ecology informs the applicant in writing or electronically within 90 days that it has denied or approved the request.
 - b. Ecology will automatically terminate permit coverage when it grants the No Exposure exemption to a permitted facility.
 - c. Facilities which are granted a No Exposure exemption must submit a No Exposure Certification Form to Ecology once every five years.
 - d. No Exposure exemptions are conditional. If there is a change at the facility that results in the exposure of industrial activities or materials to stormwater, the facility is required to immediately apply for and obtain a permit.

S2. APPLICATION FOR COVERAGE

A. Obtaining Permit Coverage

1. Unpermitted facilities that require coverage under this permit shall submit to Ecology, a complete and accurate **Notice of Intent (NOI)** using Ecology's Water Quality Permitting Portal – Permit Coverage Notice of Intent form as follows:
 - a. Existing Facilities
 - i. Unpermitted existing facilities that require coverage under this permit shall submit a complete and accurate permit application to Ecology.
 - ii. Existing facilities are facilities in operation prior to the effective date of this permit, January 1, 2020.
 - b. New Facilities

New facilities are facilities that begin operation on or after the effective date of this permit, January 1, 2020. All unpermitted new facilities shall:

 - i. Submit a complete and accurate permit application to Ecology at least 60 days before the commencement of stormwater discharge from the facility.
 - ii. The application shall include certification that the facility has met the applicable public notice and **State Environmental Policy Act (SEPA)** requirements in WAC 173-226-200(f).
 - c. Electronic Submittal

Use the Water Quality Permitting Portal (WQWebPortal) to submit a complete application for coverage to Ecology.

For more information about the WQWebPortal, visit:

<https://secureaccess.wa.gov/ecy/wqwebportal/>.

To access the WQWebPortal, you must first register for Secure Access Washington (SAW). For additional information about SAW, visit:

<https://support.secureaccess.wa.gov/>.

B. Modification of Permit Coverage

A Permittee anticipating a significant process change, or otherwise requesting a modification of permit coverage, shall submit a complete Modification of Coverage Form to Ecology. The Permittee shall:

1. Apply for modification of coverage at least 60 days before implementing a significant process change; or by May 15th prior to a Corrective Action deadline, if requesting a Level 2 or 3 time extension or waiver request per Condition S8.B-D.
2. Complete the public notice requirements in WAC 173-226-130(5) as part of a complete application for modification of coverage.
3. Comply with SEPA as part of a complete application for modification of coverage if undergoing a significant process change.

C. Permit Coverage Timeline

1. If the applicant does not receive notification from Ecology, permit coverage automatically commences on whichever of the following dates occurs **last**:
 - a. The 31st day following receipt by Ecology of a completed application for coverage.
 - b. The 31st day following the end of a 30-day public comment period.
 - c. The effective date of the general permit.
2. Ecology may need additional time to review the application:
 - a. If the application is incomplete.
 - b. If it requires additional site-specific information.
 - c. If the public requests a public hearing.
 - d. If members of the public file comments.
 - e. When more information is necessary to determine whether coverage under the general permit is appropriate.
3. When Ecology needs additional time:
 - a. Ecology will notify the applicant in writing within 30 days and identify the issues that the applicant must resolve before a decision can be reached.
 - b. Ecology will submit the final decision to the applicant in writing. If Ecology approves the application for coverage, coverage begins the 31st day following approval, or the date the approval letter is issued, whichever is later.

D. Transfer of Permit Coverage

Coverage under this general permit shall automatically transfer to a new discharger, if **all** of the following conditions are met:

1. The Permittee (existing discharger) and new discharger submit to Ecology a complete, written, signed agreement ([Transfer of Coverage Form](#)) containing a specific date for transfer of permit responsibility, coverage, and liability.
2. The type of industrial activities and practices remain substantially unchanged.
3. Ecology does not notify the Permittee of the need to submit a new application for coverage under the general permit or for an individual permit pursuant to Chapters 173-216, 173-220, and 173-226 WAC.
4. Ecology does not notify the existing discharger and new discharger of its intent to revoke coverage under the general permit. The transfer is effective on the date specified in the written agreement unless Ecology gives notice of revocation.

S3. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A. General Requirements

All Permittees and applicants for coverage under this permit shall implement a **Stormwater Pollution Prevention Plan (SWPPP)** developed by *qualified personnel* as follows:

1. The SWPPP shall specify the **Best Management Practices (BMPs)** necessary to:
 - a. Provide **All Known, Available, and Reasonable methods of prevention, control, and Treatment (AKART)** of *stormwater pollution*.
 - b. Ensure the discharge does not cause or contribute to a violation of the Water Quality Standards.
 - c. Comply with applicable federal technology-based treatment requirements under 40 CFR § 125.3.
2. Proper selection and use of **Stormwater Management Manuals (SWMM)**.
 BMPs shall be consistent with:
 - a. *2019 Stormwater Management Manual for Western Washington*, for sites west of the crest of the Cascade Mountains; **or**
 - b. *2019 Stormwater Management Manual for Eastern Washington*, for sites east of the crest of the Cascade Mountains; **or**
 - c. Revisions to the manuals in S3.A.3. a & b, or other stormwater management guidance documents or manuals which provide an equivalent level of **pollution** prevention, that are approved by Ecology and incorporated into this permit in accordance with the permit modification requirements of WAC 173-226-230. For purposes of this section, the documents listed in Appendix 10 of the August 1, 2019 *Phase I Municipal Stormwater Permit* are hereby incorporated into this permit; **or**
 - d. Documentation in the SWPPP that the BMPs selected are **demonstrably equivalent** to practices contained in stormwater technical manuals approved by Ecology, including the proper selection, implementation, and maintenance of all applicable and appropriate best management practices for on-site pollution control.

3. Update of the SWPPP

- a. The Permittee shall modify the SWPPP if the owner/operator or the applicable local or state regulatory authority determines during inspections or investigations that the SWPPP is, or would be, ineffective in eliminating or significantly minimizing pollutants in stormwater discharges from the site. The Permittee shall modify the SWPPP:
 - i. As necessary to include additional or modified BMPs designed to correct problems identified.
 - ii. To correct the deficiencies identified in writing from Ecology within 30 days of notice.
- b. The Permittee shall modify the SWPPP whenever there is a change in design, construction, operation, or maintenance at the facility that significantly changes the nature of pollutants discharged in stormwater from the facility, or significantly increases the quantity of pollutants discharged.
- c. If a Permittee covered under the 2015 ISGP needs to update their SWPPP to be consistent with the 2020 ISGP, the update shall be completed by January 30, 2020.

4. Other Pollution Control Plans

The Permittee may incorporate by reference applicable portions of plans prepared for other purposes at their facility. Plans or portions of plans incorporated by reference into a SWPPP become enforceable requirements of this permit and must be available along with the SWPPP, as required in S9.F. A Pollution Prevention Plan prepared under the Hazardous Waste Reduction Act, Chapter 70.95C RCW, is an example of such a plan.

5. Signatory Requirements

The Permittee shall sign and certify all SWPPPs in accordance with General Condition G2, each time they revise or modify a SWPPP to comply with Conditions S3.A.4 (Update of the SWPPP), S7 (Inspections) or S8 (Corrective Actions). The SWPPP Certification Form is contained in [Appendix 3](#) of this permit and on Ecology's industrial stormwater website.

B. Specific SWPPP Requirements

The SWPPP shall contain a site map, a detailed assessment of the facility, a detailed description of the BMPs, Spill Prevention and Emergency Cleanup Plan, and a sampling plan. The Permittee shall identify any parts of the SWPPP which the facility wants to claim as confidential business information.

1. The site map shall identify(site map may be multiple pages if needed):
 - a. The scale or include relative distances between significant structures and drainage systems.
 - b. The size of the property in acres.
 - c. The location and extent of all buildings, structures and all impervious surfaces.
 - d. Direction of stormwater flow (use arrows).
 - e. Locations of all structural source control BMPs.
 - f. Locations of all receiving water (including wetlands and drainage ditches) in the immediate vicinity of the facility.

- g. Conditionally approved non-stormwater discharges.
 - h. Areas of existing and potential soil **erosion** that could result in the discharge of a **significant amount** of turbidity, sediment, or other pollutants.
 - i. Locations of all stormwater conveyances including ditches, pipes, catch basins, vaults, ponds, swales, etc.
 - j. Locations of actual and potential pollutant sources.
 - k. Locations of all stormwater monitoring points.
 - l. The stormwater drainage areas for each stormwater discharge point off site (including discharges to groundwater).
 - m. Locations of stormwater inlets and outfalls with a unique identification number for each sampling point and discharge point, indicating any that are identified as substantially identical, and identify, by name, any other party other than the Permittee that owns any stormwater drainage or discharge structures.
 - n. Combined sewers or MS4s and where stormwater discharges to them.
 - o. Locations of fueling and **vehicle** maintenance areas.
 - p. Locations and sources of run-on to your site from adjacent properties that may contain pollutants.
2. The facility assessment shall include a description of the facility; an inventory of facility activities and equipment that contribute to or have the potential to contribute any pollutants to stormwater; and, an inventory of materials that contribute to or have the potential to contribute pollutants to stormwater.
- a. The facility description shall describe:
 - i. The industrial activities conducted at the site.
 - ii. Regular business hours and seasonal variations in business hours or industrial activities.
 - iii. The general layout of the facility including buildings and storage of raw materials, and the flow of goods and materials through the facility.
 - b. The inventory of industrial activities shall identify all areas associated with industrial activities (see [Table 1](#)) that have been or may potentially be sources of pollutants, including, but not limited to, the following:
 - i. Loading and unloading of dry bulk materials or liquids.
 - ii. Outdoor storage of materials or products.
 - iii. Outdoor manufacturing and processing.
 - iv. On-site dust or particulate generating processes.
 - v. On-site waste treatment, storage, or disposal.
 - vi. Vehicle and equipment fueling, maintenance, and/or cleaning (includes washing).
 - vii. Roofs or other surfaces exposed to **air emissions** from a manufacturing building or a process area.

- viii. Roofs or other surfaces composed of materials that may be mobilized by stormwater (e.g., galvanized roofs, galvanized fences).
- c. The inventory of materials shall list:
 - i. The types of materials handled at the site that potentially may be exposed to precipitation or runoff and could result in stormwater pollution.
 - ii. A short narrative for each material describing the potential of the pollutant to be present in stormwater discharges. The Permittee shall update this narrative when data become available to verify the presence or absence of these pollutants.
 - iii. A narrative description of any potential sources of pollutants from past activities, materials and spills that were previously handled, treated, stored, or disposed of in a manner to allow ongoing exposure to stormwater. Include the method and location of on-site storage or disposal. List significant spills and significant leaks of toxic or hazardous pollutants.
- 3. The SWPPP shall identify specific individuals by name or by title within the organization (pollution prevention team) whose responsibilities include: SWPPP development, implementation, maintenance, and modification.
- 4. Best Management Practices (BMPs)
 - a. General BMP Requirements

The Permittee shall describe each BMP selected to eliminate or reduce the potential to contaminate stormwater and prevent violations of water quality standards. The SWPPP must explain in detail how and where the selected BMPs will be implemented.
 - b. The Permittee shall include each of the following mandatory BMPs in the SWPPP and implement the BMPs. The Permittee may omit individual BMPs if site conditions render the BMP unnecessary or infeasible and the Permittee provides alternative and equally effective BMPs. The Permittee must justify each BMP omission in the SWPPP.
 - i. **Operational Source Control BMPs**
 - 1) The SWPPP shall include the Operational **Source Control BMPs** listed as “applicable” in Ecology’s SWMMs, or other guidance documents or manuals approved in accordance with S3.A.3.c.
 - 2) **Good Housekeeping:** The SWPPP shall include BMPs that define ongoing maintenance and cleanup, as appropriate, of areas which may contribute pollutants to stormwater discharges. The SWPPP shall include the schedule/frequency for completing each housekeeping task, based upon industrial activity, sampling results and observations made during inspections. The Permittee shall:
 - a) Vacuum paved surfaces with a vacuum sweeper (or a sweeper with a vacuum attachment) to remove accumulated pollutants a minimum of once per quarter.
 - b) Identify and control all on-site sources of dust to minimize stormwater contamination from the deposition of dust on areas exposed to precipitation.

- c) Inspect and maintain bag houses monthly to prevent the escape of dust from the system. Immediately remove any accumulated dust at the base of exterior bag houses.
 - d) Keep all dumpsters under cover or fit with a storm resistant lid that must remain closed when not in use. (Tarps are not considered storm resistant.)
- 3) **Preventive Maintenance:** The SWPPP shall include BMPs to inspect and maintain the stormwater drainage, source controls, treatment systems (if any), and plant equipment and systems that could fail and result in contamination of stormwater. The SWPPP shall include the schedule/frequency for completing each maintenance task. The Permittee must:
- a) Clean catch basins when the depth of debris reaches 60% of the sump depth. In addition, the Permittee must keep the debris surface at least 6 inches below the outlet pipe.
 - b) Maintain ponds, tanks/vaults, catch basins, swales, filters, oil/water separators, drains, and other stormwater drainage/treatment facilities in accordance with the maintenance standards set forth in the applicable Stormwater Management Manual, other guidance documents or manuals approved in accordance with S3.A.3.c, demonstrably **equivalent BMPs** per S3.A.3.d, or an O&M Manual submitted to Ecology in accordance with S8.D.
 - c) Inspect all equipment and vehicles during monthly site inspections for leaking fluids such as oil, antifreeze, etc. Take leaking equipment and vehicles out of service or prevent leaks from spilling on the ground until repaired.
 - d) Clean up spills and leaks immediately (e.g., using absorbents, vacuuming, etc.) to prevent the discharge of pollutants.
- 4) **Spill Prevention and Emergency Cleanup Plan (SPECP):** The SWPPP shall include a SPECP that includes BMPs to prevent spills that can contaminate stormwater. The SPECP shall specify BMPs for material handling procedures, storage requirements, cleanup equipment and procedures, and spill logs, as appropriate. The Permittee shall:
- a) Store all hazardous substances, petroleum/oil liquids, and other chemical solid or liquid materials that have potential to contaminate stormwater on an impervious surface that is surrounded with a containment berm or dike that is capable of containing 10% of the total enclosed tank volume or 110% of the volume contained in the largest tank, whichever is greater, or use double-walled tanks.
 - b) Prevent precipitation from accumulating in containment areas with a roof or equivalent structure or include a plan on how it will manage and dispose of accumulated water if a containment area cover is not practical.

- c) Locate spill kits within 25 feet of all stationary fueling stations, fuel transfer stations, mobile fueling units, and used oil storage/transfer stations. At a minimum, spill kits shall include:
 - i) Oil absorbents capable of absorbing 15 gallons of fuel. Facilities with a Spill Prevention, Control, and Countermeasures Plan (SPCCP) must have enough oil absorbents capable of absorbing the minimum anticipated spill amount or potential discharge volume identified in that plan if more than 15 gallons.
 - ii) A storm drain plug or cover kit.
 - iii) A non-water containment boom, a minimum of 10 feet in length with a 12-gallon absorbent capacity.
 - iv) A non-metallic shovel.
 - v) Two 5-gallon buckets with lids.
 - d) Not lock shut-off fueling nozzles in the open position. Do not “top-off” tanks being refueled.
 - e) Block, plug or cover storm drains that receive runoff from areas where fueling, during fueling.
 - f) Use drip pans or equivalent containment measures during all petroleum transfer operations.
 - g) Locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas).
 - h) Use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible. Drain fluids from equipment and vehicles prior to on-site storage or disposal.
 - i) Maintain a spill log that includes the following information for chemical and petroleum spills: date, time, amount, location, and reason for spill; date/time cleanup completed, notifications made and staff involved.
- 5) **Employee Training:** The SWPPP shall include BMPs to provide SWPPP training for employees who have duties in areas of industrial activities subject to this permit. At a minimum, the training plan shall include:
- a) The content of the training.
 - i) An overview of what is in the SWPPP.
 - ii) How employees make a difference in complying with the SWPPP and preventing contamination of stormwater.
 - iii) Spill response procedures, good housekeeping, maintenance requirements, and material management practices.

- b) How the Permittee will conduct training.
 - c) The frequency/schedule of training. The Permittee shall train employees annually, at a minimum.
 - d) A log of the dates on which specific employees received training.
- 6) **Inspections and Recordkeeping:** The SWPPP shall include documentation of procedures to ensure compliance with permit requirements for inspections and recordkeeping. At a minimum, the SWPPP shall:
- a) Identify facility personnel who will inspect designated equipment and facility areas as required in Condition S7.
 - b) Contain a visual inspection report or check list that includes all items required by Condition S7.C.
 - c) Provide a tracking or follow-up procedure to ensure that a report is prepared and any appropriate action taken in response to visual inspections.
 - d) Define how the Permittee will comply with signature requirements and records retention identified in Special Condition S9, Reporting and Recordkeeping Requirements.
 - e) Include a certification of compliance with the SWPPP and permit for each inspection using the language in S7.C.1.c.
 - f) Include all inspection reports completed by the Permittee (S7.C).
- 7) **Illicit Discharges:** The SWPPP shall include measures to identify and eliminate the discharge of **process wastewater, domestic wastewater, noncontact cooling water**, and other illicit discharges, to stormwater sewers, or to surface waters and groundwaters of the State. The Permittee can find BMPs to identify and eliminate illicit discharges in Volume IV of Ecology's SWMM for Western Washington and Chapter 8 of the SWMM for Eastern Washington.

Water from washing vehicles or equipment, buildings, pavement, steam cleaning and/or pressure washing is considered process wastewater. The Permittee must not allow this process wastewater to comeingle with stormwater or enter storm drains; and must collect in a tank for off-site disposal, or discharge it to a sanitary sewer, with written approval from the local sewage authority.

ii. **Structural Source Control BMPs**

- 1) The SWPPP shall include the structural source control BMPs listed as "applicable" in Ecology's SWMMs, or other guidance documents or manuals approved in accordance with S3.A.3.c.
- 2) The SWPPP shall include BMPs to minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow,

snowmelt, and *runoff* by either locating these industrial materials and activities inside or protecting them with storm resistant coverings.

Permittees shall:

- a) Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas.
- b) Perform all cleaning operations indoors, under cover, or in bermed areas that prevent stormwater runoff and run-on, also that capture any overspray.
- c) Ensure that all washwater drains to a collection system that directs the washwater to further treatment or storage and not to the ***stormwater drainage system***.

iii. ***Treatment BMPs***

The Permittee shall:

- 1) Use treatment BMPs consistent with the applicable documents referenced in Condition S3.A.3.
- 2) Employ oil/water separators, booms, skimmers or other methods to eliminate or minimize oil and grease contamination of stormwater discharges.
- 3) Obtain Ecology approval before beginning construction/installation of all treatment BMPs that include the addition of chemicals to provide treatment.

iv. **Stormwater Peak Runoff Rate and Volume Control BMPs**

Facilities with ***new development*** or redevelopment shall evaluate whether flow control BMPs are necessary to satisfy the state's AKART requirements, and prevent violations of water quality standards. If flow control BMPs are required, they shall be selected according to S3.A.3.

v. ***Erosion and Sediment Control BMPs***

The SWPPP shall include BMPs necessary to prevent the erosion of soils and other earthen materials (crushed rock/gravel, etc.), control off-site sedimentation, and prevent violations of water quality standards. The Permittee shall implement and maintain:

- 1) Sediment control BMPs such as ***detention*** or retention ponds or traps, vegetated filter strips, bioswales, or other permanent sediment control BMPs to minimize ***sediment*** loads in stormwater discharges.
- 2) Filtration BMPs to remove solids from catch basins, sumps or other stormwater collection and conveyance system components (catch basin filter inserts, filter socks, modular canisters, sand filtration, centrifugal separators, etc.).

5. Sampling Plan

The SWPPP shall include a sampling plan. The plan shall:

- a. Identify points of discharge to surface water, storm sewers, or discrete groundwater infiltration locations, such as dry wells or detention ponds.
- b. Include documentation of why applicable parameters are not sampled at each discharge point per S4.B.3 (if applicable). The required documentation includes:
 - i. Location of which discharge points the Permittee does not sample applicable parameters because the pollutant concentrations are substantially identical to a discharge point being sampled.
 - ii. General industrial activities conducted in the drainage area of each discharge point.
 - iii. Best Management Practices conducted in the drainage area of each discharge point.
 - iv. Exposed materials located in the drainage area of each discharge point that are likely to be significant contributors of pollutants to stormwater discharges.
 - v. Impervious surfaces in the drainage area that could affect the percolation of stormwater runoff into the ground (e.g., asphalt, crushed rock, grass).
 - vi. Reasons why the Permittee expects the discharge points to discharge substantially identical effluents.
- c. Identify each sampling location by its unique identifying number such as A1, A2.
- d. Identify staff responsible for conducting stormwater sampling.
- e. Specify procedures for sample collection and handling.
- f. Specify procedures for sending samples to a laboratory.
- g. Identify parameters for analysis, holding times and preservatives, laboratory **quantitation levels**, and analytical methods.
- h. Specify the procedure for submitting results to Ecology.

S4. GENERAL SAMPLING REQUIREMENTS

A. General Requirements

The Permittee shall conduct sampling of stormwater in accordance with this permit and the SWPPP.

B. Sampling Requirements

1. Sample Timing and Frequency

- a. The Permittee shall sample the discharge from each designated location at least once per quarter:

1st Quarter = January, February, and March

2nd Quarter = April, May, and June

3rd Quarter = July, August, and September

4th Quarter = October, November, and December

- b. Permittees shall sample the stormwater discharge from the **first fall storm event** each year. First fall storm event means the first time on or after September 1st of each year that precipitation occurs and results in a stormwater discharge from a facility.
 - c. Permittees shall collect samples within the first 12 hours of stormwater discharge events. If it is not possible to collect a sample within the first 12 hours of a stormwater discharge event, the Permittee must collect the sample as soon as practicable after the first 12 hours, and keep documentation with the sampling records (Condition S4.B.3) explaining why they could not collect samples within the first 12 hours; or if it is unknown (e.g., discharge was occurring during start of regular business hours).
 - d. The Permittee shall obtain **representative samples**, which may be a single grab sample, a time-proportional sample, or a flow-proportional sample.
 - e. Permittees need not sample outside of **regular business hours**, during **unsafe conditions**, or during quarters where there is no discharge, but shall submit a Discharge Monitoring Report each reporting period (Condition S9.A).
 - f. Permittees monitoring more than once per quarter shall **average** all of the monitoring results for each parameter (except pH and visible oil sheen) and compare the average value to the **benchmark** value. However, if Permittees collect more than one sample during a 24-hour period, they must first calculate the **daily average** of the individual grab sample results collected during that 24-hour period; then use the daily average to calculate a quarterly average.
2. Sample Location(s)
- a. The Permittee shall designate sampling location(s) at the point(s) where it discharges stormwater associated with industrial activity off-site.
 - b. The Permittee is not required to sample on-site discharges to ground (e.g., infiltration) or sanitary sewer discharges, unless specifically required by Ecology (Condition G12).
 - c. Ecology may require sampling points located in areas where unsafe conditions prevent regular sampling be moved to areas where regular sampling can occur.
 - d. The Permittee shall notify Ecology of any changes or updates to sample locations, discharge points, and/or outfalls by submitting an "Industrial Stormwater General Permit Discharge/Sample Point Update Form" to Ecology. The Permittee may be required to provide additional information to Ecology prior to changing sampling locations.
3. Substantially Identical Discharge Points
- a. The Permittee shall sample each distinct point of discharge off-site except as otherwise exempt from monitoring as a **substantially identical discharge point** per S3.B.5.b. If applicable, the Permittee is only required to monitor applicable parameters at one of the substantially identical discharge points.

The Permittee shall notify Ecology of any changes or updates to sample locations, discharge points, and/or outfalls by submitting an "[Industrial Stormwater General Permit Discharge/Sample Point Update Form](#)" to Ecology.

4. Sample Documentation

For each stormwater sample taken, the Permittee shall record the following information and retain it on-site for Ecology review:

- a. Sample date
- b. Sample time
- c. A notation describing if the Permittee collected the sample within the first 12 hours of stormwater discharge events; or, if it is unknown (e.g., discharge was occurring during start of regular business hours).
- d. An explanation of why the permittee could not collect a sample within the first 12 hours of a stormwater discharge event, if it was not possible. Or, if it is unknown, an explanation of why it is unknown if a sample was collected within or outside the first 12 hours of stormwater discharge.
- e. Sample location (using SWPPP identifying number)
- f. Method of sampling, and method of sample preservation, if applicable.
- g. Individual who performed the sampling

5. Laboratory Documentation

The Permittee shall retain laboratory reports on-site for Ecology review and shall ensure that all laboratory reports providing data for all parameters include the following information:

- a. Date of analysis
- b. Parameter name
- c. CAS number, if applicable
- d. Analytical method(s)
- e. Individual who performed the analysis
- f. Method detection limit (MDL)
- g. Laboratory quantitation level (QL) achieved by the laboratory
- h. Reporting units
- i. Sample result
- j. Quality assurance/quality control data

6. The Permittee shall maintain the original records onsite and make them available to Ecology upon request.
7. The Permittee can reduce monitoring to once a year for a period of three years (12 quarters) based on consistent attainment of benchmark values when:
 - a. Eight consecutive quarterly samples demonstrate a reported value equal to or less than the benchmark value; or for pH, within the range of 5.0 – 9.0.

- b. For purposes of tallying consecutive quarterly samples:
 - i. Do not include any quarters in which the Permittee did not collect a sample, but should have (e.g., discharge(s) occurred during normal working hours, and during safe conditions; but no sample was collected during the entire quarter). If this occurs, the tally of consecutive quarterly samples is reset to zero.
 - ii. Do not include any quarters in which the Permittee did not collect a sample because there was no discharge during the quarter (or the discharges during the quarter occurred outside normal working hours or during unsafe conditions). These quarters are not included in the calculation of eight consecutive quarters, but do not cause the tally to be reset; i.e., they are skipped over.
- c. The annual sample must be taken during the 4th quarter. A facility may average the annual sample with any other samples taken over the course of the 4th quarter. The annual sample does not include the first fall storm event.
- d. A Permittee whose annual sample exceeds the benchmark during consistent attainment is no longer allowed to claim consistent attainment. The Permittee must begin sampling in accordance with S4.B.
- 8. A Permittee who has a **significant process change** shall not use previous sampling results to demonstrate consistent attainment.
- 9. Suspension of sampling based on consistent attainment does not apply to pollutant parameters subject to “report only” requirements, oil sheen, or numeric effluent limits based on federal Effluent Limitation Guidelines (Condition S5) or Section 303(d) of the Clean Water Act (Condition S6).

C. Analytical Procedures for Sampling Requirements

The Permittee shall ensure that analytical methods used to meet the sampling requirements in this permit conform to the latest revision of the [Guidelines Establishing Test Procedures for the Analysis of Pollutants](#) contained in 40 CFR § 136, unless specified otherwise in this permit.

D. Laboratory Accreditation

- 1. The Permittee shall ensure that all analytical data required by Ecology is prepared by a laboratory registered or accredited under the provisions of, Accreditation of Environmental Laboratories, Chapter 173-50 WAC.
- 2. **Turbidity** and pH are exempt from this requirement, unless the laboratory must be registered or accredited for any other parameter.

S5. BENCHMARKS, EFFLUENT LIMITATIONS AND SPECIFIC SAMPLING REQUIREMENTS

A. Benchmarks and Sampling Requirements

- 1. Permittees shall sample their stormwater discharges as specified in Condition S4 and as specified in Table 2.

2. Additional requirements apply to specific industrial categories (S5.B), facilities subject to effluent limitation guidelines (S5.C), and certain discharges to impaired waterbodies (S6).

If a Permittee's discharge exceeds a benchmark listed in Table 2, the Permittee shall take the actions specified in Condition S8.

Table 2: Benchmarks and Sampling Requirements Applicable to All Facilities

Parameter	Units	Benchmark Value	Analytical Method	Laboratory Quantitation Level ^a	Minimum Sampling Frequency ^b
Turbidity	NTU	25	EPA 180.1 Meter	0.5	1/quarter
pH	Standard Units	Between 5.0 and 9.0	Meter/Paper ^c	±0.5	1/quarter
Oil Sheen	Yes/No	No Visible Oil Sheen	N/A	N/A	1/quarter
Copper, Total	µg/L	Western WA: 14 Eastern WA: 32	EPA 200.8	2.0	1/quarter
Zinc, Total	µg/L	117	EPA 200.8	2.5	1/quarter

^a The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the discharge monitoring report. The permittee must also upload the QA/QC documentation from the lab on the QL development.

^b 1/quarter means at least one sample taken each quarter, year-round.

^c Permittees shall use either a calibrated pH meter or narrow-range pH indicator paper with a resolution of ± 0.5 SU or better.

B. Additional Sampling Requirements for Specific Industrial Groups

1. In addition to the requirements in Table 2, all Permittees identified by an industrial activity in Table 3 shall sample stormwater discharges as specified in Condition S4 and in Table 3.
2. If a discharge exceeds a benchmark listed in Table 3, the Permittee shall take the actions specified in Condition S8.

Table 3: Additional Benchmarks and Sampling Requirements Applicable to Specific Industries

Parameter	Units	Benchmark Value	Analytical Method	Laboratory Quantitation Level ^a	Minimum Sampling Frequency ^b
1. Chemical and Allied Products (325xxx), Food and Kindred Products (311xxx-312xxx)					
BOD ₅	mg/L	30	SM 5210B	2	1/quarter
Nitrate + Nitrite Nitrogen, as N	mg/L	0.68	SM4500 NO ₃ -E/F/H	0.10	1/quarter
Phosphorus, Total	mg/L	2.0	EPA 365.1	0.01	1/quarter
2. Primary Metals(331xxx), Metals Mining (2122xx), Automobile Salvage and Scrap Recycling (42314x and 42393x), Metals Fabricating (332xxx), Machinery Manufacturing (333xxx)					
Lead, Total	µg/L	64.6	EPA 200.8	0.5	1/quarter
Petroleum Hydrocarbons (Diesel Fraction)	mg/L	10	NWTPH-Dx	0.25	1/quarter
3. Hazardous Waste Treatment, Storage and Disposal Facilities and Dangerous Waste Recyclers subject to the provisions of Resource Conservation and Recovery Act (RCRA) Subtitle C					
Chemical Oxygen Demand (COD)	mg/L	120	SM5220-D	10	1/quarter
Total Ammonia (as N)	mg/L	2.1	SM4500-NH ₃ - GH	0.02	1/quarter
TSS	mg/L	100	SM2540-D	5	1/quarter
Arsenic, Total	µg/L	150	EPA 200.8	0.5	1/quarter
Cadmium, Total	µg/L	2.1	EPA 200.8	0.25	1/quarter
Cyanide, Total	µg/L	22	EPA 335.4	10	1/quarter
Lead, Total	µg/L	64.6	EPA 200.8	0.5	1/quarter
Mercury, Total	µg/L	1.4	EPA 1631E	0.0005	1/quarter
Selenium, Total	µg/L	5.0	EPA 200.8	1.0	1/quarter
Silver, Total	µg/L	3.4	EPA 200.8	0.2	1/quarter
Petroleum Hydrocarbons (Diesel Fraction)	mg/L	10	NWTPH-Dx	0.25	1/quarter
4. Air Transportation^c (481xxx)					
Total Ammonia (as N)	mg/L	2.1	SM4500-NH ₃ - GH	0.02	1/quarter
BOD ₅	mg/L	30	SM 5210B	2	1/quarter
COD	mg/L	120	SM5220-D	10	1/quarter

Parameter	Units	Benchmark Value	Analytical Method	Laboratory Quantitation Level ^a	Minimum Sampling Frequency ^b
Nitrate + Nitrite Nitrogen, as N	mg/L	0.68	SM 4500-NO3-E/F/H	0.10	1/quarter
Petroleum Hydrocarbons (Diesel Fraction)	mg/L	10	NWTPH-Dx	0.25	1/quarter
5. Timber Product Industry (321xxx), Paper and Allied Products (322xxx), Wood Product Manufacturing (321xxx)					
COD	mg/L	120	SM5220-D	10	1/quarter
TSS	mg/L	100	SM2540-D	5	1/quarter
6. Transportation (482xxx-485xxx), Petroleum Bulk Stations and Terminals (4247xx), Transportation Equipment Manufacturing (336xxx), Construction, Transportation, Mining, and Forestry Machinery and Equipment Rental and Leasing (53421)					
Petroleum Hydrocarbons (Diesel Fraction)	mg/L	10	NWTPH-Dx	0.25	1/quarter
7. Coal Mining (2121xx), Oil and Gas Extraction (2111xx), Nonmetallic Mining and Quarrying, except Fuels (2123xx), Petroleum and Coal Products Manufacturing (324xxx), Nonmetallic Mineral Product Manufacturing (327xxx), Steam Electric Power Generation					
TSS	mg/L	100	SM2540-D	5	1/quarter
Petroleum Hydrocarbons (Diesel Fraction)	mg/L	10	NWTPH-Dx	0.25	1/quarter
8. Marine Industrial Construction (ECY003)					
Arsenic	µg/L	Report Only ^d	EPA 200.8	0.5	1/quarter
PAH compounds ^e	µg/L	Report Only ^d	EPA 610	10	1/quarter
p-cresol	µg/L	Report Only ^d	EPA 8270D	10	1/quarter
Phenol	µg/L	Report Only ^d	EPA 625.1	4.5	1/quarter
TSS	mg/L	100	SM2540-D	5	1/quarter
Petroleum Hydrocarbons (Diesel Fraction)	mg/L	10	NWTPH-Dx	0.25	1/quarter

^a The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the discharge monitoring report. If the Permittee is unable to obtain the required QL due to matrix effects, the Permittee must report the matrix-specific method detection level (MDL) and QL on the DMR. The permittee must also upload the QA/QC documentation from the lab on the QL development.

^b 1/quarter means at least one sample taken each quarter, year-round.

^c For airports where a single Permittee, or a combination of permitted facilities use more than 100,000 gallons of glycol-based deicing chemicals and/or 100 tons or more of urea on an average annual basis, monitor these additional five parameters in those discharge points that collect runoff from areas where deicing activities occur.

- ^d. A benchmark does not apply, but permittees must report the sampling result. "Report only" reporting may not be applied to consistent attainment. Ecology will use the data collected during this permit term to determine if the pollutants listed will need to be included in the next permit, and if so, develop benchmarks based on the data received and water quality criteria.
- ^e. PAH Comounds include: acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(ghi)perylene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, naphthalene, phenanthrene, and pyrene.

C. Landfills and Airports Subject to Effluent Limitation Guidelines

1. Permittees with discharges from the following activities shall comply with the effluent limits and monitor as specified in Condition S4 and Tables 4 and 5.
2. The discharge of the pollutants at a level more than that identified and authorized by this permit for these activities shall constitute a violation of the terms and conditions of this permit.
3. Permittees operating non-hazardous waste landfills subject to the provisions of 40 CFR §445 Subpart B shall not exceed the effluent limits⁴ listed in [Table 4](#).

⁴ As set forth in 40 CFR §445 Subpart B, these numeric effluent limits apply to contaminated stormwater discharges from Municipal Solid Waste Landfills that have not been closed in accordance with 40 CFR §258.60, and to contaminated stormwater discharges from those landfills that are subject to the provisions of 40 CFR §257 except for discharges from any of the following facilities: (a) landfills operated in conjunction with other industrial or commercial operations, when the landfill receives only wastes generated by the industrial or commercial operation directly associated with the landfill; (b) landfills operated in conjunction with other industrial or commercial operations, when the landfill receives wastes generated by the industrial or commercial operation directly associated with the landfill and also receives other wastes, provided that the other wastes received for disposal are generated by a facility that is subject to the same provisions in 40 CFR Subchapter N as the industrial or commercial operation, or that the other wastes received are of similar nature to the wastes generated by the industrial or commercial operation; (c) landfills operated in conjunction with CWT facilities subject to 40 CFR §437, so long as the CWT facility commingles the landfill wastewater with other non-landfill wastewater for discharge. A landfill directly associated with a CWT facility is subject to this part if the CWT facility discharges landfill wastewater separately from other CWT wastewater or commingles the wastewater from its landfill only with wastewater from other landfills; or (d) landfills operated in conjunction with other industrial or commercial operations when the landfill receives wastes from public service activities, so long as the company owning the landfill does not receive a fee or other remuneration for the disposal service.

Table 4: Effluent Limits Applicable to Non-Hazardous Waste Landfills Subject to 40 CFR Part 445 Subpart B

Parameter	Units	Average Monthly ^a	Maximum Daily ^b	Analytical Method ^c	Laboratory Quantitation Level ^d	Minimum Sampling Frequency ^e
BOD ₅	mg/L	37	140	EPA 405.1 or SM 5210B	2	1/quarter
TSS	mg/L	27	88	SM2540-D	5	1/quarter
Total Ammonia (as N)	mg/L	4.9	10	SM4500-NH3-GH	0.02	1/quarter
Alpha Terpineol	µg/L	16	33	EPA 625.1	N/A ^f	1/quarter
Benzoic Acid	µg/L	71	120	EPA 625.1	N/A ^f	1/quarter
p-Cresol (4-methylphenol)	µg/L	14	25	EPA 8270D	10	1/quarter
Phenol	µg/L	15	26	EPA 625.1	4.5	1/quarter
Zinc, Total	µg/L	110	200	EPA 200.8	2.5	1/quarter
pH	SU	Between 6.0 and 9.0		Meter	±0.1	1/quarter

- a. Average monthly effluent limit means the highest allowable average of daily discharges over a calendar month. To calculate the discharge value to compare to the limit, you add the value of each daily discharge measured during a calendar month and divide this sum by the total number of daily discharges measured. If only one sample is taken during the calendar month, the average monthly effluent limitation applies to that sample. If only one sample is taken during the reporting period, the average monthly effluent limitation applies to that sample.
- b. Maximum daily effluent limit means the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day; this does not apply to pH.
- c. Or other equivalent EPA-approved method with the same or lower quantitation level.
- d. The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR §136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the discharge monitoring report. The permittee must also upload the QA/QC documentation from the lab on the QL development.
- e. 1/quarter means at least one sample taken each quarter, year-round.
- f. EPA method 625.1 does not list quantitation levels for this pollutant. Reporting limits will be performance based and laboratory reporting levels must be included on the DMR.

4. Permittees operating airlines and airports subject to provisions of 40 CFR §449 shall comply with the following:
 - a. **Airfield Pavement** Deicing. Existing and new primary airports with 1,000 or more annual jet departures (**annual non-propeller aircraft departures**) that discharge wastewater associated with airfield pavement **deicing** commingled with stormwater must either use non-urea-containing deicers⁵, or meet the effluent limit in Table 5 at every discharge point, prior to any dilution or any commingling with any non-deicing discharge.

Table 5: Effluent Limit Applicable to Airports Subject to 40 CFR Part 449

Parameter	Units	Maximum Daily ^a	Analytical Method ^b	Laboratory Quantitation Level ^c	Minimum Sampling Frequency ^d
Total Ammonia (as N)	mg/L	14.7	SM4500-NH3-GH	0.02	1/quarter

- a. Maximum daily effluent limit means the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day.
- b. Or other equivalent *EPA*-approved method with the same or lower quantitation level.
- c. The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the discharge monitoring report. If the Permittee is unable to obtain the required QL due to matrix effects, the Permittee must report the matrix-specific method detection level (MDL) and QL on the DMR. The permittee must also upload the QA/QC documentation from the lab on the QL development.
- d. 1/quarter means at least one sample taken each quarter, year-round.

D. Conditionally Authorized Non-Stormwater Discharges

1. The categories and sources of non-stormwater discharges identified in Condition S5.D.2, below, are conditionally authorized, provided:
 - a. The discharge is otherwise consistent with the terms and conditions of this permit, including Condition S5, S6, and S10.
 - b. The Permittee conducts the following assessment for each non-stormwater discharge (except for S5.D.2.a & f) and documents the assessment in the SWPPP, consistent with Condition S3.B.2. The Permittee shall:
 - i. Identify each source.
 - ii. Identify the location of the discharge into the stormwater collection system.
 - iii. Characterize the discharge including estimated flows or flow volume, and likely pollutants which may be present.

⁵ Affected Permittees must certify in its annual report that it does not use airfield deicing products that contain urea, or meet the numeric limit in Table 5 (Condition S9.B.4).

- iv. Evaluate and implement available and reasonable source control BMPs to reduce or eliminate the discharge.
 - v. Evaluate compliance of the discharge with the state water quality standards.
 - vi. Identify appropriate BMPs for each discharge to control pollutants and or flow volumes.
2. Conditionally authorized non-stormwater discharges include:
- a. Discharges from emergency firefighting activities.
 - b. Fire protection system flushing, testing, and maintenance.
 - c. Discharges of potable water including water line flushing, provided that water line flushing must be de-chlorinated prior to discharge.
 - d. Uncontaminated air conditioning or compressor condensate.
 - e. Landscape watering and irrigation drainage.
 - f. Uncontaminated groundwater or spring water.
 - g. Discharges associated with dewatering of foundations, footing drains, or utility vaults where flows are not contaminated with process materials such as solvents.
 - h. Incidental windblown mist from cooling towers that collects on rooftops or areas adjacent to the cooling tower. This does not include intentional discharges from cooling towers such as piped cooling tower blow down or drains.

E. Prohibited Discharges

Unless authorized by a separate NPDES or state waste discharge permit, the following discharges are prohibited:

- 1. The discharge of process wastewater is not authorized. Stormwater that commingles with process wastewater is considered process wastewater.
- 2. Illicit discharges are not authorized by this permit. Conditionally authorized non-stormwater discharges in compliance with Condition S5.D are not illicit discharges.

F. General Prohibitions

Permittees shall manage stormwater to prevent the discharge of:

- 1. Synthetic, natural, or processed oil or oil-containing products as identified by an oil sheen, and
- 2. Trash and floating debris.

S6. DISCHARGES TO IMPAIRED WATERS

A. General Requirements for Discharges to Impaired Waters

Permittees that discharge to an impaired waterbody, either directly or indirectly through a stormwater drainage system, shall conduct sampling and inspections in accordance with Conditions S4, S5, S6, and S7.

B. Eligibility for Coverage of New Discharges to Impaired Waters

Facilities that meet the definition of new discharger and discharge to a **303(d)-listed waterbody** (Category 5), or an impaired waterbody with an **applicable TMDL** (Category 4A), or a pollution control program for sediment cleanup (i.e., a Category 4B sediment-impaired waterbody) are not eligible for coverage under this permit unless the facility:

1. Prevents all exposure to stormwater of the pollutant(s) for which the waterbody is impaired, and retains documentation of procedures taken to prevent exposure onsite with its SWPPP; **or**
2. Documents that the pollutant(s) for which the waterbody is impaired is not present at the facility, and retains documentation of this finding with the SWPPP; **or**
3. Provides Ecology with data showing that the discharge is not expected to cause or contribute to an exceedance of a water quality standard, and retain such data onsite with its SWPPP. The facility must provide data and other technical information to Ecology sufficient to demonstrate:
 - a. For discharges to waters without an EPA approved or established TMDL, that the discharge of the pollutant for which the water is impaired will meet instream water quality criteria at the point of discharge to the waterbody; **or**
 - b. For discharges to waters with an EPA approved or established TMDL, that there are sufficient remaining **wasteload allocations** in an EPA approved or established TMDL to allow industrial stormwater discharge and that existing dischargers to the waterbody are subject to compliance schedules designed to bring the waterbody into attainment with water quality standards.

Facilities are eligible for coverage under this permit if Ecology issues permit coverage based upon an affirmative determination that the discharge will not cause or contribute to the existing impairment.

C. Additional Sampling Requirements and Effluent Limits for Discharges to Certain Impaired Waters and Puget Sound Sediment Cleanup Sites

1. Permittees discharging to a 303(d)-listed waterbody (Category 5), either directly or indirectly through a stormwater drainage system, shall comply with the applicable sampling requirements and numeric effluent limits in [Table 6](#). If a discharge point is subject to an impaired waterbody effluent limit (Condition S6.C) for a parameter that also has a benchmark, the effluent limit supersedes the benchmark. Permittees discharging to a 303(d) – listed waterbody (Category 5) that was not 303(d)-listed at the time of 2015 permit coverage shall comply with the applicable sampling requirements and numeric effluent limits in Table 6 as soon as possible, but no later than January 1, 2022.

- a. Facilities subject to these limits include, but may not be limited to, facilities listed in [Appendix 4](#).
- b. For purposes of this condition, “applicable sampling requirements and effluent limits” means the sampling and effluent limits in Table 6 that correspond to the specific parameter(s) the receiving water is 303(d)-listed for at the time of permit coverage, or total suspended solids (TSS) if the waterbody is 303(d)-listed (Category 5) for sediment quality at the time of permit coverage.

Table 6: Sampling and Effluent Limits Applicable to Discharges to 303(d)-listed Waters

Parameter	Units	Maximum Daily ^a		Analytical Method ^b	Laboratory Quantitation Level ^c	Sampling Frequency ^d
		Freshwater	Marine			
Turbidity	NTUs	25	25	EPA 180.1 Meter	0.5	1/quarter
pH	SU	i	Between 7.0 and 8.5	Meter	±0.1	1/quarter
Fecal Coliform Bacteria	# colonies/ 100 mL	Report Only ^h	Report Only ^h	SM 9222D	20 CFU/ 100 mL	1/quarter
E. coli	# colonies/ 100 mL	Report Only ^h	N/A	EPA 1603	20 CFU/ 100 mL	1/quarter
Enterococci	# colonies/ 100 mL	N/A	Report Only ^h	EPA 1600	20 CFU/ 100 mL	1/quarter
TSS ^f	mg/L	30	30	SM2540-D	5	1/quarter
Phosphorus, Total	mg/L	g	g	EPA 365.1	0.01	1/quarter
Total Ammonia (as N)	mg/L	g	g	SM 4500 NH ₃ -GH	0.02	1/quarter
Copper, Total	µg/L	g	g	EPA 200.8	2.0	1/quarter
Lead, Total	µg/L	g	g	EPA 200.8	0.5	1/quarter
Mercury, Total	µg/L	2.1	1.8	EPA1631E	0.0005	1/quarter
Zinc, Total	µg/L	g	g	EPA 200.8	2.5	1/quarter
Pentachlorophenol	µg/L	g	g	EPA 625.1	10.8	1/quarter

- ^a Maximum daily effluent limit means the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day; this does not apply to pH.
- ^b Or other equivalent method with the same reporting level.
- ^c The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the discharge monitoring report. If the Permittee is unable to obtain the required QL due to matrix effects, the Permittee must report the matrix-specific method detection level (MDL) and QL on the DMR. The permittee must also upload the QA/QC documentation from the lab on the QL development.
- ^d 1/quarter means at least one sample taken each quarter, e.g., Q1 = Jan 1 – March 31st, Q2 = April 1 – June 30th

- e. Permittees shall use either a calibrated pH meter consistent with EPA 9040 or an approved state method.
 - f. Permittees who discharge to a 303(d)-listed waterbody (Category 5) for sediment quality shall sample discharge for TSS.
 - g. Site-specific effluent limitation will be assigned at the time of permit coverage.
 - h. A numeric effluent limit does not apply, but Permittees must sample according to Table 6. In addition, the following mandatory BMPs shall be incorporated into the SWPPP and implemented; the Permittee must:
 - 1) Use all known, available and reasonable methods to prevent rodents, birds, and other animals from feeding/nesting/roosting at the facility. Nothing in this section shall be construed as allowing violations of any applicable federal, state or local statutes, ordinances, or regulations including the Migratory Bird Treaty Act.
 - 2) Perform at least one annual dry weather inspection of the stormwater system to identify and eliminate sanitary sewer cross-connections;
 - 3) Install structural source control BMPs to address on-site activities and sources that could cause bacterial contamination (e.g., dumpsters, compost piles, food waste, animal products);
 - 4) Implement operational source control BMPs to prevent bacterial contamination from any known sources of fecal coliform bacteria (e.g., animal waste);
 - 5) Conduct additional bacteria-related sampling and/or BMPs, if ordered by Ecology on a case-by-case basis.
 - i. The effluent limit for a Permittee who discharges to a freshwater body 303(d)-listed for pH is: Between 6.0 and 8.5, if the 303(d)-listing is for high pH only; Between 6.5 and 9.0, if the 303(d)-listing is for low pH only; and Between 6.5 and 8.5 if the 303(d)-listing is for both low and high pH. All pH effluent limits are applied end-of-pipe.
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- 2. Permittees discharging to a ***Puget Sound Sediment Cleanup Site***⁶, either directly or indirectly through a stormwater drainage system, shall comply with this section:
 - a. Permittees shall sample the discharge for total suspended solids (TSS) in accordance with Table 7.
 - b. If the waterbody is listed within Category 5 (sediment medium) where the ***outfall*** discharges to the waterbody, the discharge is subject to the TSS numeric effluent limit in Table 6.
 - c. If the waterbody is not listed within Category 5 (sediment medium) where the outfall discharges to the waterbody, the discharge is subject to the TSS benchmark in Table 7. If a discharge exceeds the TSS benchmark, the Permittee shall comply with Condition S8.
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⁶ ***Puget Sound Sediment Cleanup Site*** means: Category 4B (Sediment) portions of Budd Inlet (Inner), Commencement Bay (Inner), Commencement Bay (Outer), Dalco Passage and East Passage, Duwamish Waterway (including East and West Waterway), Eagle Harbor, Elliot Bay, Hood Canal (North), Liberty Bay, Rosario Strait, Sinclair Inlet, and Thea Foss Waterway; Category 5 (Sediment) portions of the Duwamish Waterway; Category 4A (Sediment) portions of Bellingham Bay (Inner); and the Everett/Port Gardner, Oakland Bay/Shelton Harbor, and Port Angeles Harbor sediment cleanup areas, as mapped on Ecology's ISGP website. All references to Category 4A, 4B and 5 pertain to the 2012 EPA-approved Water Quality Assessment.

Table 7: Benchmarks and Sampling Requirements Applicable to Discharges to Puget Sound Sediment Cleanup Sites that are not Category 5 for Sediment Quality

Parameter	Units	Benchmark Value ^a	Analytical Method	Laboratory Quantitation Level ^b	Minimum Sampling Frequency ^c
TSS	mg/L	30	SM2540-D	5	1/quarter

^a Permittees sampling more than once per quarter shall average the sample results and compare the average value to the benchmark to determine if the discharge has exceeded the benchmark value. However, if Permittees collect more than one sample during a 24-hour period, they must first calculate the daily average of the individual grab sample results collected during that 24-hour period; then use the daily average to calculate a quarterly average.

^b The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the discharge monitoring report. The permittee must also upload the QA/QC documentation from the lab on the QL development.

^c 1/quarter means at least one sample taken each quarter, year-round.

- d. Permittees shall remove accumulated solids from storm drain lines (including inlets, catch basins, sumps, conveyances lines, and oil/water separators) on or beneath your facility at least once in the term of the permit.

Permittees shall conduct line cleaning operations (e.g., jetting, vacuuming, removal, loading, storage, and/or transport) using BMPs to prevent discharges of storm drain solids to surface waters of the State.

Removed storm drain solids and liquids shall be disposed of in accordance with applicable laws and regulations and documented in the SWPPP.

- i. If a Permittee can demonstrate, based on video inspection, in-line storm drain solids sampling, or other documentation, that storm drain line cleaning is not necessary to prevent downstream sediment contamination or recontamination, Ecology may waive this requirement by approving a modification of permit coverage.
 - ii. Requests for line cleaning waivers must be accompanied by a modification of coverage form, and a detailed technical basis to support the request. The due date for line cleaning waiver requests is May 15, 2024.
- e. Permittees shall sample and analyze storm drain solids in accordance with [Table 8](#) at least once in the term of the permit. Storm drain solids must be collected/sampled from a representative catch basin, sump, pipe or other feature within the storm drain system that corresponds to the discharge point where total suspended solids samples are collected per Condition S6.C. Samples may be either a single grab sample or a composite sample. Samples must be representative of the storm drain solids generated and accumulated in the facility's drainage system. To the extent possible, sample locations must exclude portions of the drainage system affected by water from off-site sources (e.g., run-on from off-site properties, tidal influence, backflow, etc.).
- i. If a Permittee can demonstrate that storm drain solids sampling and analysis is not feasible or not necessary, Ecology may waive this requirement by approving a modification of permit coverage.

- ii. Requests for storm drain solids sampling and analysis waivers must be accompanied by a modification of coverage form, and a detailed technical basis to support the request. The due date for solids sampling and analysis waiver requests is May 15, 2021.
- f. All storm drain solids sampling data shall be reported to Ecology on a Solids Monitoring Report (SMR) no later than the DMR due date for the reporting period in which the solids were sampled, in accordance with Condition S9.A. A copy of the lab report shall be submitted to Ecology with the SMR.

Table 8: Sampling and Analytical Procedures for Storm Drain Solids

Analyte	Method in Sediment	Quantitation Level ^a
Conventional Parameters		
Percent total solids	SM 2540G, or ASTM Method D 2216	NA
Total organic carbon	Puget Sound Estuary Protocols (PSEP 1997), or EPA 9060	0.1%
Grain size	Ecology Method Sieve and Pipette (ASTM 1997), ASTM D422, or PSEP 1986/2003	NA
Metals		
Antimony, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw ^b
Arsenic, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.1 mg/kg dw
Beryllium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Cadmium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Chromium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.5 mg/kg dw
Copper, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Lead, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Mercury, Total	EPA Method 1631E, or EPA Method 7471B	0.005 mg/kg dw
Nickel, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.1 mg/kg dw
Selenium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.5 mg/kg dw
Silver, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.1 mg/kg dw
Thallium, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	0.2 mg/kg dw
Zinc, Total	EPA Method 200.8 (ICP/MS) , EPA Method 6010 or EPA Method 6020	5.0 mg/kg dw

Analyte	Method in Sediment	Quantitation Level ^a
Organics		
PAH compounds ^c	EPA Method 8270 D	70 µg/kg dw
PCBs (aroclers), Total ^d	EPA Method 8082A	10 µg/kg dw
Petroleum Hydrocarbons		
NWTPH-Dx	NWTPH-Dx	25.0-100.0 mg/ kg dw

^a The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the sediment monitoring report. The permittee must also upload the QA/QC documentation from the lab on the QL development. All results shall be reported. For values below the QL, or where a QL is not specified, report results at the method detection limit from the lab and the qualifier of "U" for undetected at that concentration. All results shall be reported. For values below the reporting limit, report results at the method detection limit from the lab and the qualifier of "U" for undetected at that concentration.

^b dw = dry weight

^c PAH compounds include: 1-methylnaphthalene, 2-methylnaphthalene, 2-chloronaphthalene, acenaphthylene, acenaphthene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b, k)fluoranthene, benzo(ghi)perylene, dibenzo(a,h)anthracene, dibenzofuran, carbazole, chrysene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, naphthalene, phenanthrene, and pyrene.

^d Total = sum of PCB aroclors 1016+1221+1232+1242+1248+1254+1260

D. Requirements for Discharges to Waters with Applicable TMDLs

1. The Permittee shall comply with applicable TMDL determinations. Applicable TMDLs or TMDL determinations are TMDLs which have been completed by the issuance date of this permit, or which have been completed prior to the date that the Permittee's application is received by Ecology, whichever is later. Ecology will list the Permittee's requirements to comply with this condition on the letter of permit coverage.
2. TMDL requirements associated with TMDLs completed after the issuance date of this permit only become effective if they are imposed through an administrative order issued by Ecology.
3. Where Ecology has established a TMDL wasteload allocation and sampling requirements for the Permittee's discharge, the Permittee shall comply with all requirements of the TMDL as listed in [Appendix 5](#).
 - a. If a discharge point is subject to a TMDL-related effluent limit (Condition S6.D) for a parameter that also has a benchmark (Condition S5), the effluent limit supersedes the benchmark.
4. Where Ecology has established a TMDL general wasteload allocation for industrial stormwater discharges for a parameter present in the Permittee's discharge, but has not identified specific requirements, Ecology will assume the Permittee's compliance with the terms and conditions of the permit complies with the approved TMDL.
5. Where Ecology has not established a TMDL wasteload allocation for industrial stormwater discharges for a parameter present in the Permittee's discharge, but has not excluded these discharges, Ecology will assume the Permittee's compliance with the terms and conditions of this permit complies with the approved TMDL.

6. Where a TMDL for a parameter present in the Permittee's discharge specifically precludes or prohibits discharges of stormwater associated with industrial activity, the Permittee is not eligible for coverage under this permit.

S7. INSPECTIONS

A. Inspection Frequency and Personnel

1. The Permittee shall conduct and document visual inspections of the site each month.
2. The Permittee shall ensure that inspections are conducted by qualified personnel.

B. Inspection Components

Each inspection shall include:

1. Observations made at stormwater sampling locations and areas where stormwater associated with industrial activity is discharged off-site; or discharged to waters of the State, or to a storm sewer system that drains to waters of the State.
2. Observations for the presence of floating materials, visible oil sheen, discoloration, turbidity, odor, etc. in the stormwater discharge(s).
3. Observations for the presence of illicit discharges such as domestic wastewater, noncontact cooling water, or process wastewater (including leachate).
 - a. If an illicit discharge is discovered, the Permittee shall notify Ecology within seven days.
 - b. The Permittee shall eliminate the illicit discharge within 30 days.
4. A verification that the descriptions of potential pollutant sources required under this permit are accurate.
5. A verification that the site map in the SWPPP reflects current conditions.
6. An assessment of all BMPs that have been implemented, noting all of the following:
 - a. Effectiveness of BMPs inspected.
 - b. Locations of BMPs that need maintenance.
 - c. Reason maintenance is needed and a schedule for maintenance.
 - d. Locations where additional or different BMPs are needed and the rationale for the additional or different BMPs.

C. Inspection Results

1. The Permittee shall record the results of each inspection in an inspection report or checklist and keep the records on-site, as part of the SWPPP, for Ecology review.
The Permittee shall ensure each inspection report documents the observations, verifications and assessments required in S7.B and includes:
 - a. Time and date of the inspection
 - b. Locations inspected

- c. Statements that, in the judgment of 1) the person conducting the site inspection, and 2) the person described in Condition G2, the site is either in compliance or out of compliance with the terms and conditions of the SWPPP and this permit.
- d. A summary report and a schedule of implementation of the remedial actions that the Permittee plans to take if the site inspection indicates that the site is out of compliance. The remedial actions taken must meet the requirements of the SWPPP and the permit.
- e. Name, title, and signature of the person conducting site inspection; and the following statement: "I certify that this report is true, accurate, and complete, to the best of my knowledge and belief."
- f. Certification and signature of the person described in Condition G2.A, or a duly authorized representative of the facility, in accordance with Condition G2.B and D.

D. Reports of Non-Compliance

The Permittee shall prepare reports of non-compliance identified during an inspection in accordance with the requirements of Condition S9.E.

S8. CORRECTIVE ACTIONS

A. Implementation of Source Control and Treatment BMPs from Previous Permit

In addition to the Corrective Action Requirements of S8.B-D, Permittees shall implement any applicable Level 1, 2 or 3 Responses required by the previous Industrial Stormwater General Permit(s). Permittees shall continue to operate and/or maintain any source control or treatment BMPs related to Level 1, 2 or 3 Responses implemented prior to the effective date of this permit.

B. Level One Corrective Actions – Operational Source Control BMPs

Permittees that exceed any applicable benchmark value(s) in [Table 2](#), [Table 3](#), and/or [Table 7](#) for any quarter during a calendar year shall complete a Level 1 Corrective Action for each parameter exceeded in accordance with the following:

1. Within 14 days of receipt of sampling results that indicate a benchmark exceedance during a given quarter⁷; or, for parameters other than pH or visible oil sheen, the end of the quarter, whichever is later:
 - a. Conduct an inspection to investigate the cause.
 - b. Review the SWPPP and ensure that it fully complies with Permit Condition S3, and contains the applicable BMPs from the appropriate Stormwater Management Manual.

⁷ Based on quarterly average per Condition S5.A.3, S5.B.2 and/or S6.C.2.c. For pH, and visible oil sheen, quarterly averaging is not allowed, so the 14 days begin upon receipt of a single benchmark exceedance.

- c. Make appropriate revisions to the SWPPP to include additional operational source control BMPs with the goal of achieving the applicable benchmark value(s) in future discharges.
- 2. Summarize the Level 1 Corrective Actions in the Annual Report (Condition S9.B)
- 3. Level One Deadline: The Permittee shall sign/certify and fully implement the revised SWPPP according to Permit Condition S3 and the applicable Stormwater Management Manual as soon as possible, but no later than the DMR due date for the quarter the benchmark was exceeded.

C. Level Two Corrective Actions – Structural Source Control BMPs

Permittees that exceed an applicable benchmark value in [Table 2](#), [Table 3](#) and/or [Table 7](#) (for a single parameter) for any two quarters during a calendar year shall complete a Level 2 Corrective Action in accordance with S8.C. Alternatively, the Permittee may skip Level 2 and complete a Level 3 Corrective Action in accordance with Condition S8.D.

- 1. Review the SWPPP and ensure that it fully complies with Permit Condition S3.
- 2. Make appropriate revisions to the SWPPP to include additional structural source control BMPs with the goal of achieving the applicable benchmark value(s) in future discharges.
- 3. Summarize the Level 2 Corrective Actions (planned or taken) in the Annual Report (Condition S9.B).
- 4. **Level 2 Deadline:** The Permittee shall sign/certify the SWPPP using the SWPPP Certification Form found on page 63 of this permit, and fully implement the revised SWPPP according to Permit Condition S3 and the applicable Stormwater Management Manual as soon as possible, but no later than August 31st of the following year.
 - a. If installation of necessary structural source control BMPs is not feasible by August 31st of the following year, Ecology may approve additional time, by approving a Modification of Permit Coverage.
 - b. If installation of structural source control BMPs is not feasible or not necessary to prevent discharges that may cause or contribute to a violation of a water quality standard, Ecology may waive the requirement for additional structural source control BMPs by approving a Modification of Permit Coverage.
 - c. To request a time extension or waiver, a Permittee shall submit a detailed explanation of why it is making the request (technical basis), and a [Modification of Coverage form](#) to Ecology in accordance with Condition S2.B, by May 15th prior to Level 2 Deadline. Ecology will approve or deny the request within 60 days of receipt of a complete Modification of Coverage request.
 - d. While a time extension is in effect, benchmark exceedances (for the same parameter) do not count towards additional Level 2 or 3 Corrective Actions.
 - e. For the year following the calendar year the Permittee triggered a Level 2 corrective action, benchmark exceedances (for the same parameter) do not count towards additional Level 2 or 3 Corrective Actions.

D. Level Three Corrective Actions – Treatment BMPs

Permittees that exceed an applicable benchmark value in [Table 2](#), [Table 3](#), and/or [Table 7](#) (for a single parameter) for any three quarters during a calendar year shall complete a Level 3 Corrective Action in accordance with S8.D. A Level 2 Corrective Action is not required.

1. Review the SWPPP and ensure that it fully complies with Permit Condition S3.
2. Make appropriate revisions to the SWPPP to include additional treatment BMPs with the goal of achieving the applicable benchmark value(s) in future discharges. Revisions shall include additional operational and/or structural source control BMPs if necessary for proper performance and maintenance of treatment BMPs.

A **qualified industrial stormwater professional** shall review the revised SWPPP, sign the SWPPP Certification Form, and certify that it is reasonably expected to meet the ISGP benchmarks upon implementation. Upon written request Ecology may, one time during the permit cycle, waive this requirement on a case-by-case basis if a Permittee demonstrates to Ecology's satisfaction that the proposed Level 3 treatment BMPs are reasonably expected to meet ISGP benchmarks upon implementation.

3. Before installing treatment BMPs that require the site-specific design or sizing of structures, equipment, or processes to collect, convey, treat, reclaim, or dispose of industrial stormwater, the Permittee shall submit an engineering report to Ecology for review.
 - a. The engineering report must include:
 - i. Brief summary of the treatment alternatives considered and why the proposed option was selected. Include cost estimates of ongoing operation and maintenance, including disposal of any spent media;
 - ii. The basic design data, including characterization of stormwater influent, and sizing calculations of the treatment units;
 - iii. A description of the treatment process and operation, including a flow diagram;
 - iv. The amount and kind of chemicals used in the treatment process, if any.
Note: Use of stormwater treatment chemicals requires submittal of [Request for Chemical Treatment Form](#);
 - v. Results to be expected from the treatment process including the predicted stormwater discharge characteristics;
 - vi. A statement, expressing sound engineering justification through the use of pilot plant data, results from similar installations, and/or scientific evidence that the proposed treatment is reasonably expected to meet the permit benchmarks; **and**
 - vii. Certification by a licensed professional engineer.
 - b. The engineering report shall be submitted no later than the May 15th prior to the Level 3 deadline, unless an alternate due date is specified in an order.
 - c. An Operation and Maintenance Manual (O&M Manual) shall be submitted to Ecology no later than 30 days after construction/installation is complete; unless an alternate due date is specified in an order.

4. Summarize the Level 3 Corrective Actions (planned or taken) in the Annual Report (Condition S9.B). Include information on how monitoring, assessment or evaluation information was (or will be) used to determine whether existing treatment BMPs will be modified/enhanced, or if new/additional treatment BMPs will be installed.
5. **Level 3 Deadline:** The Permittee shall sign/certify and fully implement the revised SWPPP according to Permit Condition S3 and the applicable Stormwater Management Manual as soon as possible, but no later than September 30th of the following year.
 - a. If installation of necessary treatment BMPs is not feasible by the Level 3 Deadline; Ecology may approve additional time by approving a Modification of Permit Coverage.
 - b. If installation of treatment BMPs is not feasible or not necessary to prevent discharges that may cause or contribute to violation of a water quality standard, Ecology may waive the requirement for treatment BMPs by approving a Modification of Permit Coverage.
 - c. To request a time extension or waiver, a Permittee shall submit a detailed explanation of why it is making the request (technical basis), and a [Modification of Coverage](#) form to Ecology in accordance with Condition S2.B, by May 15th prior to the Level 3 Deadline. Ecology will approve or deny the request within 60 days of receipt of a complete Modification of Coverage request.
 - d. While a time extension is in effect, benchmark exceedances (for the same parameter) do not count towards additional Level 2 or 3 Corrective Actions.
 - e. For the year following the calendar year the Permittee triggered a Level 3 corrective action, benchmark exceedances (for the same parameter) do not count towards additional Level 2 or 3 Corrective Actions.

S9. REPORTING AND RECORDKEEPING

A. Electronic Reporting Requirements

The Permittee shall submit all NOIs, NOTs, Noncompliance Reports, Annual Reports, DMRs, and other reporting information as required electronically, unless you have received a waiver from Ecology. All information required to be submitted shall be submitted through Ecology's [Water Quality Permitting Portal](#).

If you are unable to submit electronically (for example, you do **not** have access to the internet), you must contact Ecology to request an Electronic Reporting Waiver form and submit the completed form to Ecology.

B. Discharge Monitoring Reports

1. The Permittee shall submit sampling data obtained during each reporting period on a Discharge Monitoring Report (DMR) or a Solids Monitoring Form (SMR)⁸ form provided, or otherwise approved, by Ecology.
2. Upon permit coverage, the Permittee shall ensure that DMRs are submitted to Ecology by the DMR due dates below:

Table 9: Reporting Dates and DMR Due Dates

Reporting Period	Months	DMR Due Date
1 st	January-March	May 15
2 nd	April-June	August 15
3 rd	July-Sept	November 15
4 th	October-December	February 15

3. DMRs and SMRs shall be submitted electronically using Ecology's Water Quality Permitting Portal – Discharge Monitoring Report (DMR) application, unless a waiver from electronic reporting has been granted (e.g., if a Permittee does not have broadband internet access). SMR forms, identified as a single sample DMR type, are included with the quarterly DMR forms on the Portal. If a waiver has been granted, reports must be postmarked or delivered to the following address by the due date:

Department of Ecology
 Water Quality Program – Industrial Stormwater
 PO Box 47696
 Olympia, Washington 98504-7696

4. The first full quarter following permit coverage, the Permittee shall submit a DMR each reporting period, whether or not the facility discharged stormwater from the site.
 - a. If no stormwater sample was obtained from the site during a given reporting period, the Permittee shall submit the DMR form indicating “no sample obtained,” or “no discharge during the quarter,” with a written explanation as to why there was no sample taken or no discharge.
 - b. If a Permittee has suspended sampling for a parameter due to consistent attainment, the Permittee shall submit a DMR and indicate that it has achieved consistent attainment for that parameter(s).
5. The Permittee must use the Water Quality Permitting Portal – Permit Submittals application (unless otherwise specified in the permit) to submit all other written permit-required reports by the date specified in the permit unless a waiver has been granted under S9.B. If a

⁸ SMR required if Condition S6.C.2 applies.

waiver has been granted, DMRs must be postmarked or delivered to the address listed in S9.B.3 by the due date.

C. Annual Reports

1. The Permittee shall submit a complete and accurate Annual Report to the Department of Ecology no later than May 15th of each year using Ecology's Water Quality Permitting Portal – Permit Submittals application, unless a waiver from electronic reporting has been granted according to S9.B.3. Annual Reports are not required if the Permittee didn't have permit coverage during the previous calendar year.
2. The annual report shall include corrective action documentation as required in S8.B-D. If corrective action is not yet completed at the time of submission of this annual report, the Permittee must describe the status of any outstanding corrective action(s).
3. Permittees shall include the following information with each annual report. The Permittee shall:
 - a. Identify the condition triggering the need for corrective action review.
 - b. Describe the problem(s) and identify the dates they were discovered.
 - c. Summarize any Level 1, 2 or 3 corrective actions completed during the previous calendar year and include the dates it completed the corrective actions.
 - d. Describe the status of any Level 2 or 3 corrective actions triggered during the previous calendar year, and identify the date it expects to complete corrective actions.
 - e. Primary airport Permittees with at least 1,000 annual jet departures shall include a certification statement in each annual report that it does not use airfield deicing products that contain urea. Alternatively, Permittees shall meet the numeric effluent limit for ammonia in Condition S5.C, [Table 5](#).
4. Permittees shall retain a copy of all annual reports onsite for Ecology review.

D. Records Retention

1. The Permittee shall retain the following documents onsite for a minimum of five years:
 - a. A copy of this permit.
 - b. A copy of the permit coverage letter.
 - c. Records of all sampling information specified in Condition S4.B.3.
 - d. Inspection reports including documentation specified in Condition S7.
 - e. Any other documentation of compliance with permit requirements.
 - f. All equipment calibration records.
 - g. All BMP maintenance records.
 - h. All original recordings for continuous sampling instrumentation.
 - i. Copies of all laboratory reports as described in Condition S3.B.4.
 - j. Copies of all reports required by this permit.

- k. Records of all data used to complete the application for this permit.
- 2. The Permittee shall extend the period of records retention during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee, or when requested by Ecology.
- 3. The Permittee shall make all plans, documents, and records required by this permit immediately available to Ecology or the local jurisdiction upon request; or within 14 days of a written request from Ecology.

E. Additional Sampling by the Permittee

If the Permittee samples any pollutant at a designated sampling point more frequently than required by this permit, then the Permittee shall include the results in the calculation and reporting of the data submitted in the Permittee's DMR.

If Permittees collect more than one sample during a 24-hour period, they must first calculate the daily average of the individual grab sample results collected during that 24-hour period; then use the daily average to calculate a quarterly average.

F. Reporting Permit Violations

- 1. In the event the Permittee is unable to comply with any of the terms and conditions of this permit which may endanger human health or the environment, or exceed any numeric effluent limitation in the permit, the Permittee shall, upon becoming aware of the circumstances:
 - a. Immediately take action to minimize potential pollution or otherwise stop the noncompliance and correct the problem.
 - b. Immediately notify the local jurisdiction and appropriate Ecology regional office of the failure to comply:
 - **Central Region** at (509) 575-2490 for Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, or Yakima County
 - **Eastern Region** at (509) 329-3400 for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, or Whitman County
 - **Northwest Region** at (425) 649-7000 for Island, King, Kitsap, San Juan, Skagit, Snohomish, or Whatcom County
 - **Southwest Region** at (360) 407-6300 for Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, or Wahkiakum County
 - c. Submit a detailed written report to Ecology within 5 days of the time the Permittee becomes aware of the circumstances, unless Ecology requests an earlier submission. The report shall be submitted using Ecology's Water Quality Permitting Portal – Permit Submittals application, unless a waiver from electronic reporting has been granted according to S9.B.3. The Permittee's report shall contain:
 - i. A description of the noncompliance, including exact dates and times.

- ii. Whether the noncompliance has been corrected and, if not, when the noncompliance will be corrected.
 - iii. The steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
- d. Upon request of the Permittee, Ecology may waive the requirements for a written report on a case-by-case basis, if the immediate notification (S9.F.1.b) is received by Ecology within 24 hours.
- 2. Compliance with the requirements of this section does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

G. Public Access to SWPPP

The Permittee shall provide access to, or a copy of, the SWPPP to the public when requested in writing. Upon receiving a written request from the public for the SWPPP, the Permittee shall:

- 1. Provide a copy of the SWPPP to the requestor within 14 days of receipt of the written request; **or**
- 2. Notify the requestor within ten days of receipt of the written request of the location and times within normal business hours when the requestor may view the SWPPP, and provide access to the SWPPP within 14 days of receipt of the written request; **or**
- 3. If you provide a URL in your NOI where your SWPPP can be found, and maintain your current SWPPP at this URL, you will have complied with the public availability requirements for the SWPPP. To remain current, you must post any SWPPP modifications, records, and other reporting elements required for the permit term at the same URL as the main body of the SWPPP.

S10. COMPLIANCE WITH STANDARDS

- A. Discharges shall not cause or contribute to a violation of Surface Water Quality Standards (Chapter 173-201A WAC), Groundwater Quality Standards (Chapter 173-200 WAC), Sediment Management Standards (Chapter 173-204 WAC), and federal human health-based criteria for Washington (40 CFR 131.45). Discharges that are not in compliance with these standards are prohibited.
- B. Ecology will presume compliance with water quality standards, unless discharge monitoring data or other site specific information demonstrates that a discharge causes or contributes to violation of water quality standards, when the Permittee is:
 - 1. In full compliance with all permit conditions, including planning, sampling, monitoring, reporting, and recordkeeping conditions.
 - 2. Fully implementing stormwater best management practices contained in stormwater technical manuals approved by the department, or practices that are demonstrably equivalent to practices contained in stormwater technical manuals approved by Ecology,

including the proper selection, implementation, and maintenance of all applicable and appropriate best management practices for on-site pollution control.

- C. Prior to the discharge of stormwater and non-stormwater to waters of the State, the Permittee shall apply all known and reasonable methods of prevention, control, and treatment (AKART). To comply with this condition, the Permittee shall prepare and implement an adequate SWPPP, with all applicable and appropriate BMPs, including the BMPs necessary to meet the standards identified in Condition S10.A, and shall install and maintain the BMPs in accordance with the SWPPP, applicable SWMMs, and the terms and conditions of this permit.

S11. PERMIT FEES

- A. The Permittee shall pay permit fees assessed by Ecology and established in Chapter 173-224 WAC.
- B. Ecology will continue to assess permit fees until it terminates a permit in accordance with Special Condition S13 or revoked in accordance with General Condition G5.

S12. SOLID AND LIQUID WASTE MANAGEMENT

The Permittee shall not allow solid waste material or *leachate* to cause violations of the State Surface Water Quality Standards (Chapter 173-201A WAC), the Groundwater Quality Standards (Chapter 173-200 WAC) or the Sediment Management Standards (Chapter 173-204 WAC).

S13. NOTICE OF TERMINATION (NOT)

A. Conditions for a NOT

Ecology may approve a Notice of Termination (NOT) request when the Permittee meets one or more of the following conditions and Ecology determines that the discharges from the facility are no longer required to be covered under this permit:

1. All permitted stormwater discharges associated with industrial activity that are authorized by this permit cease because the industrial activity has ceased, and no significant materials or industrial pollutants remain exposed to stormwater.
2. The party that is responsible for permit coverage (signatory to application) sells or otherwise legally transfers responsibility for the industrial activity.
3. All stormwater discharges associated with industrial activity are prevented because the stormwater is redirected to a sanitary sewer, or discharged to ground (e.g., infiltration).

B. Procedure for Obtaining Termination

1. The Permittee shall apply for a NOT on a form specified by Ecology ([NOT Form](#)).
2. The Permittee seeking permit coverage termination shall sign the NOT in accordance with Condition G2 of this permit.
3. The Permittee shall submit the completed NOT form to Ecology through the WQWebPortal.

GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

All discharges and activities authorized by this general permit shall be consistent with the terms and conditions of this general permit. Any discharge of any pollutant more frequently than, or at a level in excess of that identified and authorized by the general permit, shall constitute a violation of the terms and conditions of this permit.

G2. SIGNATORY REQUIREMENTS

- A. All permit applications shall be signed:
 - 1. In the case of corporations, by a ***responsible corporate officer***.
 - 2. In the case of a partnership, by a general partner of a partnership.
 - 3. In the case of sole proprietorship, by the proprietor.
 - 4. In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.
- B. All reports required by this permit and other information requested by Ecology shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by a person described above and submitted to the Ecology.
 - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters.
- C. Changes to authorization. If an authorization under paragraph G2.B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph G2.B.2 above shall be submitted to Ecology prior to, or together with, any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

“I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

G3. RIGHT OF INSPECTION AND ENTRY

The Permittee shall allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records shall be kept under the terms and conditions of this permit.
- B. To have access to and copy, at reasonable times and at reasonable cost, any records required to be kept under the terms and conditions of this permit.
- C. To inspect, at reasonable times, any facilities, equipment (including sampling and control equipment), practices, methods, or operations regulated or required under this permit.
- D. To sample or monitor, at reasonable times, any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G4. GENERAL PERMIT MODIFICATION AND REVOCATION

This permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification, revocation and reissuance, or termination include, but are not limited to, the following:

- A. When a change which occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this permit.
- B. When effluent limitation guidelines or standards are promulgated pursuant to the CWA or Chapter 90.48 RCW, for the category of dischargers covered under this permit.
- C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this permit is approved.
- D. When information is obtained which indicates that cumulative effects on the environment from dischargers covered under this permit are unacceptable.

G5. REVOCATION OF COVERAGE UNDER THE PERMIT

- A. Pursuant with Chapter 43.21B RCW and Chapter 173-226 WAC, Ecology may terminate coverage for any discharger under this permit for cause. Cases where coverage may be terminated include, but are not limited to, the following:
 - 1. Violation of any term or condition of this permit.
 - 2. Obtaining coverage under this permit by misrepresentation or failure to disclose fully all relevant facts.
 - 3. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.
 - 4. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.
 - 5. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations.
 - 6. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC.

7. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable.
- B. Ecology may require any discharger under this permit to apply for and obtain coverage under an individual permit or another more specific general permit.
- C. Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within 90 days from the time of revocation and is submitted along with a complete individual permit application form.

G6. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, whenever a material change to the industrial activity or in the quantity or type of discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G7. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G8. DUTY TO REAPPLY

The Permittee shall apply for permit renewal at least 180 days prior to the expiration date of this permit.

G9. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of stormwater shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G10. DUTY TO PROVIDE INFORMATION

The Permittee shall submit to Ecology, within a reasonable time, all information which Ecology may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee shall also submit to Ecology, upon request, copies of records required to be kept by this permit [40 CFR 122.41(h)].

G11. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G12. ADDITIONAL SAMPLING

Ecology may establish specific sampling requirements in addition to those contained in this permit by administrative order or permit modification.

G13. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to \$10,000 and costs of prosecution, or by imprisonment at the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of this permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to \$10,000 for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

G14. UPSET

Definition – "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that: 1) an upset occurred and that the Permittee can identify the cause(s) of the upset; 2) the permitted facility was being properly operated at the time of the upset; 3) the Permittee submitted notice of the upset as required in condition S9.E; **and** 4) the Permittee complied with any remedial measures required under this permit.

In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G15. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G16. DUTY TO COMPLY

The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

G17. TOXIC POLLUTANTS

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G18. PENALTIES FOR TAMPERING

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any sampling device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than \$20,000 per day of violation, or imprisonment of not more than four years, or both.

G19. REPORTING PLANNED CHANGES

The Permittee shall, as soon as possible, give notice to Ecology of planned physical alterations, modifications, or additions to the permitted industrial activity, which will result in:

- A. The permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b).
- B. A significant process change, as defined in the glossary of this permit.
- C. A change in the location of industrial activity that affects the Permittee's sampling requirements in Conditions S3, S4, S5, and S6.

Following such notice, permit coverage may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation.

G20. REPORTING OTHER INFORMATION

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to Ecology, it shall promptly submit such facts or information.

G21. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee shall give advance notice to Ecology by submission of a new application, or supplement to the existing application, at least 45 days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during non-critical water quality periods and carried out in a manner approved by Ecology.

G22. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER THE PERMIT

- A. Any discharger authorized by this permit may request to be excluded from coverage under the general permit by applying for an individual permit.
- B. The discharger shall submit to Ecology an application as described in WAC 173-220-040 or WAC 173-216-070, whichever is applicable, with reasons supporting the request. These reasons shall fully document how an individual permit will apply to the applicant in a way that the general permit cannot.

- C. Ecology may make specific requests for information to support the request. Ecology shall either issue an individual permit or deny the request with a statement explaining the reason for the denial.
- D. When an individual permit is issued to a discharger otherwise subject to the industrial stormwater general permit, the applicability of the industrial stormwater general permit to that Permittee is automatically terminated on the effective date of the individual permit.

G23. APPEALS

- A. The terms and conditions of this general permit, as they apply to the appropriate class of dischargers, are subject to appeal by any person within 30 days of issuance of this general permit, in accordance with Chapter 43.21B RCW and Chapter 173-226 WAC.
- B. The terms and conditions of this general permit, as they apply to an individual discharger, are appealable in accordance with Chapter 43.21B RCW within 30 days of the effective date of coverage of that discharger. Consideration of an appeal of general permit coverage of an individual discharger is limited to the general permit's applicability or nonapplicability to that individual discharger.
- C. The appeal of general permit coverage of an individual discharger does not affect any other dischargers covered under this general permit. If the terms and conditions of this general permit are found to be inapplicable to any individual discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.

G24. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

G25. BYPASS PROHIBITED

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited, and Ecology may take enforcement action against a Permittee for bypass unless one of the following circumstances (A, B, or C) is applicable.

- A. Bypass for Essential Maintenance without the Potential to Cause Violation of Permit Limits or Conditions

Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee must submit prior notice, if possible, at least ten days before the date of the bypass.

- B. Bypass Which is Unavoidable, Unanticipated, and Results in Noncompliance of this Permit

This bypass is permitted only if:

- 1. Bypass is unavoidable to prevent loss of life, personal injury, or **severe property damage**. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

2. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.
 3. Ecology is properly notified of the bypass as required in condition S9E of this permit.
- C. Bypass which is anticipated and has the Potential to Result in Noncompliance of this Permit
- The Permittee must notify Ecology at least thirty days before the planned date of bypass. The notice must contain (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-410, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above must be considered during preparation of the engineering report or facilities plan and plans and specifications and must be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

Ecology will consider the following prior to issuing an administrative order for this type bypass:

1. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
2. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
3. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, Ecology will approve or deny the request. The public must be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by Ecology under RCW 90.48.120.

APPENDIX 1 – ACRONYMS

AKART	All Known, Available and Reasonable methods of prevention, control and Treatment
BMP	Best Management Practice
CAS	Chemical Abstract Service
CERCLA	Comprehensive Environmental Response Compensation & Liability Act
CFR	Code of Federal Regulations
CWA	Clean Water Act
CWT	Centralized Waste Treatment
EPA	Environmental Protection Agency
ESC	Erosion and Sediment Control
FAA	Federal Aviation Administration
FWPCA	Federal Water Pollution Control Act
NAICS	North American Industry Classification System
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
RCRA	Resource Conservation and Recovery Act
RCW	Revised Code of Washington
SARA	Superfund Amendment and Reauthorization Act
SEPA	State Environmental Policy Act
SIC	Standard Industrial Classification
SMCRA	Surface Mining Control and Reclamation Act
SWMM	Stormwater Management Manual
SWPPP	Stormwater Pollution Prevention Plan

TMDL	Total Maximum Daily Load
TSS	Total Suspended Solids
USC	United States Code
WAC	Washington Administrative Code
WQ	Water Quality

APPENDIX 2 – DEFINITIONS

40 CFR means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

303(d)-Listed water body means waterbodies as listed as Category 5 on Washington State's Water Quality Assessment.

Air Emission means a release of air contaminants into the ambient air.

Airfield Pavement means all paved surfaces on the airside of an airport.

AKART is an acronym for “all known, available, and reasonable methods of prevention, control, and treatment.” AKART represents the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants and controlling pollution associated with a discharge.

Annual Non-Propeller Aircraft Departures means the average number of commercial turbine-engine aircraft that are propelled by jet, i.e., turbojet or turbofan, that take off from an airport on an annual basis, as tabulated by the Federal Aviation Administration (FAA).

Applicable TMDL means a TMDL which has been completed either before the issuance date of this permit or the date the Permittee first obtains coverage under this permit, whichever is later.

Application means a request for coverage under this general permit pursuant to WAC 173-226-200. Also called a Notice of Intent (NOI).

Average means arithmetic mean, which is equal to the sum of the measurements divided by the number of measurements.

Benchmark means a pollutant concentration used as a permit threshold, below which a pollutant is considered unlikely to cause a water quality violation, and above which it may. When pollutant concentrations exceed benchmarks, corrective action requirements take effect. Benchmark values are not water quality standards and are not numeric effluent limitations; they are indicator values.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. In this permit BMPs are further categorized as operational source control, structural source control, erosion and sediment control, and treatment BMPs.

Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

Clean Water Act (CWA) means the Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, and 97-117; USC 1251 et seq.

Combined Sewer means a sewer which has been designed to serve as a sanitary sewer and a storm sewer, and into which inflow is allowed by local ordinance.

Construction Activity means clearing, grading, excavation and any other activity which disturbs the surface of the land. Such activities may include road building, construction of residential houses, office buildings, industrial buildings, and demolition activity.

Control Plan means a total maximum daily load (TMDL) determination, restrictions for the protection of state or federal threatened or endangered species, a groundwater management plan, or other limitations that regulate or set limits on discharges to a specific waterbody or ground water recharge area.

Daily Average means the average measurement of the pollutant throughout a period of 24 consecutive hours starting at 12:01 A.M. and ending at the following 12:00 P.M. (midnight).

Deicing means procedures and practices to remove or prevent any accumulation of snow or ice on: 1) an aircraft; or 2) airfield pavement.

Demonstrably Equivalent means that the technical basis for the selection of all stormwater best management practices are documented within a stormwater pollution prevention plan. The stormwater pollution prevention plan must document: 1) The method and reasons for choosing the stormwater best management practices selected; 2) The pollutant removal performance expected from the practices selected; 3) The technical basis supporting the performance claims for the practices selected, including any available existing data concerning field performance of the practices selected; 4) An assessment of how the selected practices will comply with state water quality standards; and 5) An assessment of how the selected practices will satisfy both applicable federal technology-based treatment requirements and state requirements to use all known, available, and reasonable methods of prevention, control, and treatment.

Detention means the temporary storage of stormwater to improve quality and/or to reduce the mass flow rate of discharge.

Discharge [of a pollutant] means any addition of any pollutant or combination of pollutants to surface waters of the State of Washington from any point source. This definition includes additions of pollutants into surface waters of the State of Washington from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

Discharge Point means the location where a discharge leaves the Permittee's facility. Discharge point also includes the location where a discharge enters the ground on-site (e.g., infiltration BMP).

Discharger means an owner or operator of any facility or activity subject to regulation under Chapter 90.48 RCW or the Federal Clean Water Act.

Domestic Wastewater means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments, or other places, together with such groundwater infiltration or surface waters as may be present.

Ecology means the Washington State Department of Ecology.

EPA means the United States Environmental Protection Agency.

Equivalent BMPs means operational, source control, treatment, or innovative BMPs which result in equal or better quality of stormwater discharge to surface water or to groundwater than BMPs selected from the SWMM.

Erosion means the wearing away of the land surface by running water, wind, ice, or other geological agents, including such processes as gravitational creep.

Erosion and Sediment Control BMPs means BMPs that are intended to prevent erosion and sedimentation, such as preserving natural vegetation, seeding, mulching and matting, plastic covering, filter fences, and sediment traps and ponds.

Existing Facility means a facility that was in operation prior to the effective date of this permit. It also includes any facility that is not categorically included for coverage but is in operation when identified by Ecology as a significant contributor of pollutants.

Facility means any establishment (including land or appurtenances thereto) that is subject to regulation under this permit. See Special Condition S1.

First Fall Storm Event means the first time on or after September 1st of each year that precipitation occurs and results in a stormwater discharge from a facility. This storm event tends to wash off and discharge pollutants that accumulate during the preceding dry months.

General Permit means a permit which covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger.

Groundwater means water in a saturated zone or stratum beneath the land surface or a surface waterbody.

Hazardous Substance means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173-303-090 or 173-303-100.

Illicit Discharge means any discharge that is not composed entirely of stormwater except (1) discharges authorized pursuant to a separate NPDES permit, or (2) conditionally authorized non-stormwater discharges identified in Condition S5.D.

Inactive Facility means a facility that no longer engages in business, production, providing services, or any auxiliary operation.

Industrial Activity means (1) the 11 categories of industrial activities identified in 40 CFR 122.26(b)(14)(i-xi) that must apply for either coverage under this permit or no exposure certification, (2) any facility conducting any activities described in [Table 1](#), and (3) the activities occurring at any facility identified by Ecology as a significant contributor of pollutants. Table 1 lists the 11 categories of industrial activities identified in 40 CFR 122.26(b)(14)(i-xi) in a different format.

Land Application Site means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application site, surface impoundment, injection well, or waste pile.

Leachate means water or other liquid that has percolated through raw material, product or waste and contains substances in solution or suspension as a result of the contact with these materials.

Local Government means any county, city, or town having its own government for local affairs.

Material Handling means storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product.

Municipality means a political unit such as a city, town or county; incorporated for local self-government.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the State from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

New Development means land disturbing activities, including Class IV -general forest practices that are conversions from timber land to other uses; structural development, including construction or installation of a building or other structure; creation of impervious surfaces; and subdivision, short subdivision and binding site plans, as defined and applied in Chapter 58.17 RCW. Projects meeting the definition of redevelopment shall not be considered new development.

New Discharge(r) means a facility from which there is a discharge, that did not commence the discharge at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

New Facility means a facility that begins activities that result in a discharge or a potential discharge to waters of the State on or after the effective date of this general permit.

Noncontact Cooling Water means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

North American Industry Classification System (NAICS) means the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. NAICS was developed under the auspices of the Office of Management and Budget (OMB), and adopted in 1997 to replace the Standard Industrial Classification (SIC) system. It was developed jointly by the U.S. Economic Classification Policy Committee (ECPC), Statistics Canada, and Mexico's Instituto Nacional de Estadística y Geografía to allow for a high level of comparability in business statistics among the North American countries.

Notice of Intent (NOI) – See “Application”

Notice of Termination (NOT) means a request for termination of coverage under this general permit as specified by Special Condition S13 of this permit.

Operational Source Control BMPs means schedule of activities, prohibition of practices, maintenance procedures, employee training, good housekeeping, and other managerial practices to prevent or reduce the pollution of waters of the State. Not included are BMPs that require construction of pollution control devices.

Operator means any entity with a stormwater discharge associated with industrial activity.

Outfall means the point where a discharge from a facility enters a receiving waterbody or receiving waters.

Pollutant means the discharge of any of the following to waters of the State: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, domestic sewage sludge (biosolids), munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste. This term does not include sewage from vessels within the meaning of section 312 of the FWPCA nor does it include dredged or fill material discharged in accordance with a permit issued under section 404 of the FWPCA.

Pollution means contamination or other alteration of the physical, chemical, or biological properties of waters of the State; including change in temperature, taste, color, turbidity, or odor of the waters; or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the State as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare; or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses; or to livestock, wild animals, birds, fish, or other aquatic life.

Process Wastewater means any non-stormwater which, during manufacturing or processing, comes into direct contact or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. If stormwater commingles with process wastewater, the commingled water is considered process wastewater.

Puget Sound Sediment Cleanup Site means Category 4B (Sediment) portions of Budd Inlet (Inner), Commencement Bay (Inner), Commencement Bay (Outer), Dalco Passage and East Passage, Duwamish Waterway (including East and West Waterway), Eagle Harbor, Elliot Bay, Hood Canal (North), Liberty Bay, Rosario Strait, Sinclair Inlet, and Thea Foss Waterway; Category 5 (Sediment) portions of the Duwamish Waterway; Category 4A (Sediment) portions of Bellingham Bay (Inner); and the Everett/Port Gardner and Port Angeles Harbor sediment cleanup areas, as mapped on Ecology's ISGP website. All references to Category 4A, 4B and 5 pertain to the 2012 EPA-approved Water Quality Assessment.

Qualified Industrial Stormwater Professional means a licensed professional engineer, geologist, hydrogeologist; Certified Professional in Stormwater Quality, Certified Professional in Erosion and Sediment Control; or qualified environmental professional with education and experience in stormwater management and licensed to do business in the State of Washington.

Qualified Personnel means those who (1) possesses the knowledge and skills to assess conditions and activities at the facility that could impact stormwater quality; (2) can evaluate the effectiveness of best management practices required by this permit for this specific facility and its unique operations

and; (3) is familiar with site operations and practices with sufficient authority to commit the organization to the BMPs and actions detailed in the SWPPP..

Quantitation Level (QL) also known as *Minimum Level of Quantitation (ML)* means the lowest level at which the entire analytical system must give a recognizable signal and acceptable calibration point for the analyte. It is equivalent to the concentration of the lowest calibration standard, assuming that all method-specified sample weights, volumes, and cleanup procedures have been employed.

Reasonable Potential means the likely probability for pollutants in the discharge to exceed the applicable water quality criteria in the receiving waterbody.

Redevelopment means on a site that is already substantially developed (i.e., has 35% or more of existing impervious surface coverage), the creation or addition of impervious surfaces; the expansion of a building footprint or addition or replacement of a structure; structural development including construction, installation or expansion of a building or other structure; replacement of impervious surface that is not part of a routine maintenance activity; and land disturbing activities.

Regular Business Hours means those time frames when the facility is engaged in its primary production process, but does not include additional shifts or weekends when partial staffing is at the site primarily for maintenance and incidental production activities. Regular business hours do not include periods of time that the facility is inactive and unstaffed.

Representative [sample] means a sample of the discharge that accurately characterizes stormwater runoff generated in the designated drainage area of the facility.

Responsible Corporate Officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures (40 CFR 122.22).

Runoff means that portion of rainfall or snowmelt water not absorbed into the ground that becomes surface flow.

Sanitary Sewer means a sewer which is designed to convey domestic wastewater.

Sediment means the fragmented material that originates from the weathering and erosion of rocks, unconsolidated deposits, or unpaved yards, and is transported by, suspended in, or deposited by water.

Severe Property Damage means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Significant Amount means an amount of a pollutant in a discharge that is amenable to available and reasonable methods of prevention, control, or treatment; or an amount of a pollutant that has a reasonable potential to cause a violation of surface or ground water quality standards or sediment management standards.

Significant Contributor of Pollutant(s) means a facility determined by Ecology to be a contributor of a significant amount(s) of a pollutant(s) to waters of the State.

Significant Materials includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater discharges.

Significant Process Change means any modification of the facility that would result in any of the following:

1. Add different pollutants in a significant amount to the discharge.
2. Increase the pollutants in the stormwater discharge by a significant amount.
3. Add a new industrial activity (SIC) that was not previously covered.
4. Add additional impervious surface or acreage such that stormwater discharge would be increased by 25% or more.

Source Control BMPs means structures or operations that are intended to prevent pollutants from coming into contact with stormwater through physical separation of areas or careful management of activities that are sources of pollutants. This permit separates source control into two types: structural source control BMPs and operational source control BMPs.

Standard Industrial Classification (SIC) is the statistical classification standard underlying all establishment-based federal economic statistics classified by industry as reported in the 1987 SIC Manual by the Office of Management and Budget.

State Environmental Policy Act (SEPA) means the Washington State Law, RCW 43.21C.020, intended to prevent or eliminate damage to the environment.

Storm Sewer means a sewer that is specifically designed to carry stormwater. Also called a storm drain.

Stormwater means that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a stormwater drainage system into a defined surface waterbody, or a constructed infiltration facility.

Stormwater Drainage System means constructed and natural features which function together as a system to collect, convey, channel, hold, inhibit, retain, detain, infiltrate or divert stormwater.

Stormwater Management Manual (SWMM) or Manual means the technical manuals prepared by Ecology for stormwater management in western and eastern Washington.

Stormwater Pollution Prevention Plan (SWPPP) means a documented plan to implement measures to identify, prevent, and control the contamination of point source discharges of stormwater.

Structural Source Control BMPs means physical, structural, or mechanical devices or facilities that are intended to prevent pollutants from entering stormwater.

Substantially Identical Discharge Point means a discharge point that shares the following characteristics with another discharge point: 1) the same general industrial activities conducted in the drainage area of the discharge point, 2) the same Best Management Practices conducted in the drainage area of the discharge point, 3) the same type of exposed materials located in the drainage area of the discharge point that are likely to be significant contributors of pollutants to stormwater discharges, and 4) the same type of impervious surfaces in the drainage area that could affect the percolation of stormwater runoff into the ground (e.g., asphalt, crushed rock, grass).

Surface Waters of the State includes lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state.

Total Maximum Daily Load (TMDL) means a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet state water quality standards. Percentages of the total maximum daily load are allocated to the various pollutant sources. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. The TMDL calculations include a "margin of safety" to ensure that the waterbody can be protected in case there are unforeseen events or unknown sources of the pollutant. The calculation also accounts for seasonable variation in water quality.

Treatment BMPs means BMPs that are intended to remove pollutants from stormwater.

Turbidity means the clarity of water expressed as nephelometric turbidity units (NTU) and measured with a calibrated turbidimeter.

Underground Injection Control Well means a well that is used to discharge fluids into the subsurface. An underground injection control well is one of the following:

1. A bored, drilled, or driven shaft,
2. An improved sinkhole, or
3. A subsurface fluid distribution system. (WAC 173-218-030)

Unsafe Conditions means those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, or electrical storms, or situations that otherwise make sampling impractical, such as drought or extended frozen conditions.

Unstaffed means the facility has no assigned staff. A site may be "unstaffed" even when security personnel are present, provided that pollutant generating activities are not included in their duties.

Vehicle means a motor-driven conveyance that transports people or freight, such as an automobile, truck, train, or airplane.

Vehicle Maintenance means the rehabilitation, mechanical repairing, painting, fueling, and/or lubricating of a motor-driven conveyance that transports people or freight, such as an automobile, truck, train, or airplane.

Wasteload Allocation (WLA) means the portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution. WLAs constitute a type of water quality based effluent limitation (40 CFR 130.2(h)).

Water Quality Standards means the Water Quality Standards for Surface Waters of the State of Washington, Chapter 173-201A WAC, Ground Water Quality Standards (Chapter 173-200 WAC), Sediment Management Standards (Chapter 173-204 WAC), and the federal human health-based criteria for Washington (40 CFR 131.45).

Waters of the State includes those waters defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State. State statute defines "waters of the State" to include lakes, rivers, ponds, streams, wetlands, inland waters, underground waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington (Chapter 90.48 RCW).

APPENDIX 3 - SWPPP CERTIFICATION FORM

The Permittee shall use this form to sign and certify that the Stormwater Pollution Prevention Plan (SWPPP) is complete, accurate and in compliance with Conditions S3 and S8 of the Industrial Stormwater General Permit.

- A SWPPP certification form needs to be completed and attached to all SWPPPs.
- Each time a Level 1, 2 or 3 Corrective Action is required, this form needs to be re-signed and re-certified by the Permittee, and attached to the SWPPP.

Is this SWPPP certification in response to a Level 1, 2 or 3 Corrective Action? ☐ Yes ☐ No

If Yes, Type of Corrective Action: ☐ Level 1 ☐ Level 2 ☐ Level 3*

Date SWPPP update/revision completed:

Briefly describe SWPPP Update (use back side, if necessary):

***Note:** For Level 3 Corrective Actions, a qualified industrial stormwater professional must review the revised SWPPP, and sign and certify below, in accordance with Condition S8.D.2:

"The Permittee has made appropriate revisions to the SWPPP to include additional Treatment BMPs with the goal of achieving the applicable benchmark value(s) in future discharges. Based on my review of the SWPPP, discharges from the facility are reasonably expected to meet the ISGP benchmarks upon implementation."

Qualified Industrial Stormwater Professional's Printed Name

Title

Qualified Industrial Stormwater Professional's Signature

Date

(cont'd next page)

"I certify under penalty of law that this SWPPP and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate information to determine compliance with the Industrial Stormwater General Permit. Based on my inquiry of the person or persons who are responsible for stormwater management at my facility, this SWPPP is, to the best of my knowledge and belief, true, accurate, and complete, and in full compliance with Permit Conditions S3 and S8, including the correct Best Management Practices from the applicable Stormwater Management Manual. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Operator's Printed Name *

Title

Operator's Signature *

Date

* Federal regulations require this document to be signed in accordance with Condition G2.

APPENDIX 4 - EXISTING DISCHARGERS TO IMPAIRED WATER BODIES

This appendix has a link below to a website list of existing Permittees that discharge pollutants of concern, either directly or indirectly through a stormwater drainage system, to impaired water bodies based on the 2012 EPA-approved water quality assessment and to Puget Sound Sediment Cleanup Sites. <https://apps.ecology.wa.gov/paris/ImpairedWaterBodyLimits.aspxh>.

Appendix 4 was originally published on Ecology's website on 11/19/2014, and is linked to Ecology's PARIS database. As such, it is subject to revision based upon new information including but not limited to: new facilities, discharge points, and/or outfalls; updates or corrections to ISGP facility locations, stormwater sample points, discharge points, and/or outfall locations.

Appendix 4 is a technical assistance tool intended to support ISGP facilities with permit compliance. Appendix 4 may contain errors or omissions for various reasons, but this does not relieve ISGP facilities of applicable permit requirements. If an inconsistency exists between Appendix 4 and ISGP Condition S6, the ISGP takes precedence. Permittees aware of errors or omissions with the information contained in Appendix 4 shall contact Ecology so that an update/correction can be made. If changes or updates are made, based on new or more accurate information, Ecology will notify the affected Permittees directly. Such changes or updates will not become effective until 30 days after the affected dischargers are notified.

APPENDIX 5 - DISCHARGERS SUBJECT TO TMDL REQUIREMENTS

The list of dischargers identified as discharging to water bodies which have completed water quality cleanup plans or TMDLs and associated monitoring requirements can be viewed on Ecology's website at:

<https://ecology.wa.gov/DOE/files/14/14a209fd-4090-4d4a-9d5a-debfc3628fa9.pdf>.

The most current list can also be obtained by contacting Ecology at:

Industrial Stormwater General Permit
Washington State Department of Ecology
PO Box 47696
Olympia, WA 98504-7696

This list is based on the best information available to Ecology. There will be changes and updates to this list based on new, more accurate information. If changes or updates are made, Ecology will notify the affected Permittees directly. Such changes or updates will not become effective until 30 days after the affected dischargers are notified.

Appendix B. Monthly Inspections

Keep completed monthly inspections in this Appendix.
See Appendix F for a blank copy of the Monthly Inspection form.

Appendix C. Sampling Records

Keep the following sampling records in this Appendix:

- DMRs
- Laboratory Reports
- Chains of Custody
- Sample Documentation Forms

See Appendix D for a blank copy of the Sample Documentation Form.

Stormwater Pollution Prevention Plan (SWPPP)
BWC Terminals - Grays Harbor Terminal

Appendix D. Blank Forms

This Appendix contains blank copies of the following forms:

- Spill Log
- Employee Training Log Form
- SWPPP Certification Form
- Monthly Inspection Form
- Sample Documentation Form

Spill Log

[illegible]

Employee Training Log

[illegible]

SWPPP CERTIFICATION FORM

The Permittee shall use this form to sign and certify that the Stormwater Pollution Prevention Plan (SWPPP) is complete, accurate and in compliance with Conditions S3 and S8 of the Industrial Stormwater General Permit.

- A SWPPP certification form needs to be completed and attached to all SWPPPs.
- Each time a Level 1, 2, or 3 Corrective Action is required, this form needs to be re-signed and re-certified by the Permittee, and attached to the SWPPP.

Is this SWPPP certification in response to a Level 1, 2 or 3 Corrective Action? ☐Yes ☐No

If **Yes**: Type of Corrective Action?: ☐Level 1 ☐Level 2 ☐Level 3*

Date SWPPP update/revision completed:

Briefly describe SWPPP Update (use backside, if necessary):

***Note:** For Level 3 Corrective Actions, a *Qualified Industrial Stormwater Professional* must review the revised SWPPP, and sign and certify below, in accordance with Condition S8.D.2.:

"The Permittee has made appropriate revisions to the SWPPP to include additional Treatment BMPs with the goal of achieving the applicable benchmark value(s) in future discharges. Based on my review of the SWPPP, discharges from the facility are reasonably expected to meet the ISGP benchmarks upon implementation."

Qualified Industrial Stormwater Professional's Printed Name

Title

Qualified Industrial Stormwater Professional's Signature

Date

"I certify under penalty of law that this SWPPP and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate information to determine compliance with the Industrial Stormwater General Permit. Based on my inquiry of the person or persons who are responsible for stormwater management at my facility, this SWPPP is, to the best of my knowledge and belief, true, accurate, and complete, and in full compliance with Permit Conditions S3 and S8, including the correct Best Management Practices from the applicable Stormwater Management Manual. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Operator's Printed Name *

Title

Operator's Signature *

Date

* Federal regulations require this document to be signed in accordance with Condition G2.

Industrial Stormwater Monthly Inspection Report

Inspections must be conducted by a person with the knowledge and skills to assess conditions and activities that could impact stormwater quality at the facility, and evaluate the effectiveness of best management practices required by this permit. Retain a copy of the completed and signed form in accordance with Permit Condition S9.C.

FACILITY NAME:		INSPECTION TIME:		DATE:	
WEATHER INFORMATION:					
<ul style="list-style-type: none"> Description of Weather Conditions (e.g., sunny, cloudy, raining, snowing, etc.): _____ Was stormwater (e.g., runoff from rain or snowmelt) flowing at outfalls and/or discharge areas shown on the Site Map during the inspection: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Comments: _____ 					
I. POTENTIAL POLLUTANT SOURCE AREA INSPECTION AND BEST MANAGEMENT PRACTICES EVALUATION					
SWPPP and Site Map: Have a copy of the SWPPP and site map with you during the inspection so that you can ensure they are current and accurate. Use it as an aide in recording the location of any issues you identify during the inspection. <ul style="list-style-type: none"> Is the Site Map current and accurate? Is the SWPPP inventory of activities, materials and products current? Any new potential pollutant sources must be added to the map and reflected in the <i>SWPPP Facility Assessment & Tables 2, 2A, 3 and 5</i> .		Yes	No	Findings and Remedial Action Documentation: Describe any findings below and the schedule for remedial action completion including the date initiated and date completed or expected to be completed.	
Vehicle/Equipment Areas: Equipment cleaning: <i>Check NA if not performed on-site. Skip section.</i> Is equipment washed and/or cleaned only in designated areas? <ul style="list-style-type: none"> Observe washing: Is all wash water captured and properly disposed of? Equipment fueling: <i>Check NA if not performed on-site. Skip section.</i> <ul style="list-style-type: none"> Are all fueling areas free of contaminant buildup and evidence of chronic leaks/spills? Are all chemical liquids, fluids, and petroleum products, on an impervious surface that is surrounded with a containment berm or dike that is capable of containing 10% of the total enclosed tank volume or 110% of the volume contained in the largest tank, whichever is greater? Are structures in place to prevent precipitation from accumulating in containment areas? <ul style="list-style-type: none"> If not, is there any water or other fluids accumulated within the containment area? Note: If containment areas are not covered to prevent water from accumulating, the SWPPP must include a plan describing how accumulated water will be managed and disposed of. 		Yes	No	NA	Findings and Remedial Action Documentation:

Equipment maintenance:

- Are maintenance tools, equipment and materials stored under shelter, elevated and covered?
- Are all drums and containers of fluids stored with proper cover and containment?
- Are exteriors of containers kept outside free of deposits?
- Are any vehicles and/or equipment leaking fluids? Identify leaking equipment.
- Is there evidence of leaks or spills since last inspection? Identify and address.
- Are materials, equipment, and activities located so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to protected areas)?

Add any additional site-specific BMPs:

Yes No NA Findings and Remedial Action Documentation:

I. POTENTIAL POLLUTANT SOURCE AREA INSPECTION AND BEST MANAGEMENT PRACTICES EVALUATION

Good Housekeeping BMPs:

1. Are paved surfaces free of accumulated dust/sediment and debris?
 - Date of last quarterly vacuum/sweep _____
 - Are there areas of erosion or sediment/dust sources that discharge to storm drains?
2. Are all waste receptacles located outdoors:
 - In good condition?
 - Not leaking contaminants?
 - Closed when is not being accessed?
 - External surfaces and area free of excessive contaminant buildup?
3. Are the following areas free of accumulated dust/sediment, debris, contaminants, and/or spills/leaks of fluids?
 - External dock areas
 - Pallet, bin, and drum storage areas
 - Maintenance shop(s)
 - Equipment staging areas (loaders, tractors, trailers, forklifts, etc)
 - Around bag-house(s)
 - Around bone yards
 - Other areas of industrial activity:

Yes No NA Findings and Remedial Action Documentation:

Spill Response and Equipment: Are spill kits available, in the following locations? <ul style="list-style-type: none"> Fueling stations Transfer and mobile fueling units Vehicle and equipment maintenance areas Do the spill kits contain all the permit required items? <ul style="list-style-type: none"> Oil absorbents capable of absorbing 15 gallons of fuel. A storm drain plug or cover kit. A non-water containment boom, a minimum of 10 feet in length with a 12 gallon absorbent capacity. A non-metallic shovel. Two five-gallon buckets with lids. Are contaminated absorbent materials properly disposed of?	Yes	No	NA	Findings and Remedial Action Documentation:
I. POTENTIAL POLLUTANT SOURCE AREA INSPECTION AND BEST MANAGEMENT PRACTICES EVALUATION				
General Material Storage Areas: <ul style="list-style-type: none"> Are damaged materials stored inside a building or another type of storm resistance shelter? Are all uncontained material piles stored in a manner that does not allow discharge of impacted stormwater? Are scrap metal bins covered? Are outdoor containers covered? 	Yes	No	NA	Findings and Remedial Action Documentation:
Stormwater BMPs and Treatment Structures: Visually inspect all stormwater BMPs and treatment structures devices, discharge areas infiltration and outfalls shown on the Site Map. <ul style="list-style-type: none"> Are BMPs and treatment structures in good repair and operational? Are BMPs and treatment structures free from debris buildup that may impair function? The permit requires Permittees to clean catch basins when the depth of debris reaches 60% of the sump depth. In addition, the Permittee must keep the debris surface at least 6 inches below the outlet pipe. Based on this, do catch basins need to be cleaned? Are berms, curbing or other methods used to divert and direct discharges adequate and in good condition? 	Yes	No	NA	Findings and Remedial Action Documentation:
Observation of Stormwater Discharges: <ul style="list-style-type: none"> Is the discharge free of floating materials, visible oil sheen, discoloration, turbidity, odor, foam or any other signs of contamination? Water from washing vehicles or equipment, steam cleaning and/or pressure washing is considered process wastewater and is not allowed to comeingle with stormwater or enter storm drains. Is process water comingling with stormwater or entering storm drains? Illicit discharges include domestic wastewater, noncontact cooling water, or process wastewater (including leachate). Were any illicit discharges observed during the inspection? 	Yes	No	NA	Findings and Remedial Action Documentation:

[illegible]

Inspector - Certification: This section must be completed by the person who conducted the site inspection prior to submitting this form to the person with signature authority (see Permit Condition G2) or a duly authorized representative of that person.

- ☐ The facility is in compliance with the terms and conditions of the SWPPP and the Industrial Stormwater General Permit.
- ☐ *The facility is out of compliance with the terms and conditions of the SWPPP and the Industrial Stormwater General Permit. This report includes the remedial actions that must be taken to meet the requirements of the SWPPP and permit, including a schedule of implementation of the remedial actions.*

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Date _____

☐ The facility is in compliance with the terms and conditions of the SWPPP and the Industrial Stormwater General Permit.

- ☐ *The facility is out of compliance with the terms and conditions of the SWPPP and the Industrial Stormwater General Permit. This report includes the remedial actions that must be taken to meet the requirements of the SWPPP and permit, including a schedule of implementation of the remedial actions.*

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DATE _____

¹A person is duly authorized representative only if 1) the authorization is made in writing by a person described in Permit Condition G2.A and submitted to Ecology, and 2) the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated *facility*, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters.